

ORDINANCE NO. **BG2025 - 16**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTERS 2 (ADMINISTRATION), 15 (BUSINESS AND GENERAL REGULATIONS), 22 (TRAFFIC AND MOTOR VEHICLES) AND 25 (CODE OF ETHICS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO MAKE ADMINISTRATIVE REVISIONS

WHEREAS, City staff has reviewed and recommends amendments to Chapters 2 (Administration), 15 (Business and General Regulations), 22 (Traffic and Motor Vehicles) and 25 (Code of Ethics) of the City of Bowling Green Code of Ordinances; and,

WHEREAS, the amendments are in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 2 (Administration) is hereby amended as follows:

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2-3 CITY MANAGER.

2-3.06 Agent of the Board of Commissioners.

a. The City Manager shall be the chief administrative officer and exercise those executive powers and duties delegated to him by ordinance and State law. The City Manager, or his authorized designee, shall be delegated the authority to execute contracts and agreements on behalf of the City of Bowling Green for any lease, purchase or other transaction in any amount up to and including seventy-five [~~fifty~~] thousand (\$75[~~0~~],000) dollars. This authority does not prohibit the City Manager from obtaining Board of Commissioners approval for leases, purchases or other transactions under \$75[~~0~~],000 for any specific transaction if he deems it necessary.

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2-4 DEPARTMENTAL ORGANIZATION OF CITY.

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2-4.01 Departments, Divisions, Offices Established; Enumerated.

The following named departments, divisions and offices are hereby established for the administration of the affairs of the City:

- a. Office of City Manager.
 - 1. Assistant City Manager [~~Office of City Clerk~~].
 - 2. Office of Internal Auditor.
 - 3. Office of Public Information.

- b. Department of Finance.
 - 1. [~~Assistant City Manager~~] Chief Financial Officer.
 - 2. Revenue Division.
 - 3. Accounting Division
 - 4. Procurement Division.

- ...

- e. Department of Law.
 - 1. Office of City Clerk.

- ...

- i. Department of Neighborhood and Community Services.
 - 1. Neighborhood and Community Services Director.
 - 2. Community Engagement [~~Neighborhood Services~~] Division.
 - 3. Housing Division.
 - 4. Building and Inspection Division.
 - 5. Code Compliance and Animal Protection Division.
 - [~~6. International Communities Liaison Division.~~]
 - 6[7]. Downtown Development Division.

2-5 OFFICE OF CITY MANAGER.

As chief administrative officer, the City Manager shall carry out those duties and responsibilities assigned to his office by ordinance and State law. He shall coordinate the activities of

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all departments and agencies of the City. All requests for appropriations shall be approved by the City Manager.

2-5.02 Assistant City Manager~~[Office of City Clerk]~~.

The Assistant City Manager (ACM) shall be in charge of the Office of City Manager subject to the supervision of the City Manager. The ACM shall provide advanced operational, managerial and administrative support to the City Manager and fulfill the duties of the City Manager in his absence. The ACM shall also be responsible for coordinating and managing the annual budget process in collaboration with the Chief Financial Officer. ~~[The City Clerk shall be responsible for the performance of all acts and duties assigned to the City Clerk by State law, ordinances and City regulation. This office shall be responsible for maintaining the official records of the City of Bowling Green and recording the actions of the Board of Commissioners, and other assigned boards or commissions of the City. The Assistant City Clerk is authorized to attest documents executed by the Mayor and other officials for and on behalf of the City of Bowling Green in the absence of the City Clerk.]~~

2-5.03 Office of Internal Auditor.

The City Internal Auditor shall be responsible for the examination, investigation and analysis of internal controls for City operations.

2-5.04 Office of Public Information.

The Executive Assistant/Public Information Officer shall be responsible for the dissemination of public information to create a positive image of City government by informing residents ~~[citizens]~~ through various means, including but not limited to the City's cable government access channel and social media websites, about the projects, programs and people associated with local government. This office is also responsible for the planning, coordinating and fulfillment of the City government's public relations activities, such as special events, informational programming,

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promotional literature, news releases and similar related matters.

2-6 DEPARTMENT OF FINANCE.

2-6.01 ~~[Assistant City Manager/]~~Chief Financial Officer.

a. The ~~[Assistant City Manager/]~~Chief Financial Officer (~~[ACM/]~~CFO) shall be in charge of the Department of Finance subject to the supervision of the City Manager. The ~~[ACM/]~~CFO, with the assistance of the Assistant Chief Financial Officer(s), shall be responsible for the general supervision of all financial affairs of the City, including but not with limitation nor restriction, accounting, auditing, financial reporting, multi-year financial forecasting, custodianship of receipts and expenditures, tax assessment, billing and collection, payroll activities, multi-year capital improvement plan, procurement and bidding, and all other related duties as may be required. ~~[The ACM/CFO shall also be responsible for coordinating and managing the budget process, including the planning and preparation of the annual operating budget, developing the multi-year capital improvement plan, and managing project finances and bidding.]~~

b. The ~~[Assistant City Manager/]~~Chief Financial Officer (~~[ACM/]~~CFO) is also hereby designated as the City Treasurer for the City of Bowling Green and shall be responsible for the performance of all acts and duties assigned to the City Treasurer by State law, ordinances and City regulations.

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2-9 DEPARTMENT OF LAW.

2-9.01 City Attorney.

The City Attorney shall be in charge of the Department of Law subject to the approval of the City Manager. The City Attorney shall be the chief legal officer of the City for the administration of its legal affairs.

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2-9.03 Office of City Clerk.

The City Clerk shall be responsible for the performance of all acts and duties assigned to the City Clerk by State law, ordinances and City regulation. This office shall be responsible for maintaining the official records of the City of Bowling Green and recording the actions of the Board of Commissioners, and other assigned boards or commissions of the City. The Assistant City Clerk is authorized to attest documents executed by the Mayor and other officials for and on behalf of the City of Bowling Green in the absence of the City Clerk.

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2-13 DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES.

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2-13.02 Community Engagement [~~Neighborhood Services~~] Division.

The Community Engagement Manager [~~Neighborhood Services Coordinator~~] shall coordinate the City's role in delivering City services and information to residents and neighborhoods, by acting as liaison between the neighborhood groups, residents and all the City departments. The Community Engagement Manager serves to coordinate the City's role in communicating and working effectively with the diverse international communities represented in Bowling Green, and to serve as an advocate for LEP (Limited English Proficient) persons who may seek City services. The Division shall also process requests and complaints filed by residents and forward them to the proper City department for execution.

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~~[2-13.06 International Communities Liaison Division.]~~

~~[The International Communities Liaison Division serves to coordinate the City's role in communicating and working effectively with the diverse international communities represented in Bowling Green, and to serve as an advocate for LEP (Limited English Proficient) persons who may~~

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~~seek City services.]~~

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2-19.02 Request for Records Inspection.

a. Any resident of the Commonwealth as defined and pursuant to the Open Records Act shall have the right to inspect public records provided that person submits a written request or completes a request to inspect public records application describing the records to be inspected. Written requests may be delivered by hand, mail, e-mail or facsimile to the appropriate City office.

b. All records relating to the Police Department shall be requested and obtained from the central records office [~~Records Division~~] of the Police Department located at 911 Kentucky Street, Bowling Green, Kentucky 42101 or by e-mail at bgpdrecords@bgky.org.

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d. All records related to business licenses may be requested and obtained from the Department of Finance, Office of Occupational License [~~Division~~], located at the City Hall Annex, 1017 College Street, Bowling Green, Kentucky 42101 or by e-mail at cityclerkopenrecords@bgky.org.

e. All other records shall be requested and obtained from the Office of City Clerk located at 1017 [~~City Hall, 1001~~] College Street, Bowling Green, Kentucky 42101 or by e-mail at cityclerkopenrecords@bgky.org.

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2-24 A BETTER BGKY INC.

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2-24.03 Officers.

The officers of the Corporation shall be a Chair, Vice-Chair and Secretary. The City shall provide staff to assist with the activities of the Corporation. Said staff shall assure that all

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obligations of the Corporation shall be paid pursuant to the City's policies and procedures and all purchases shall be made pursuant to the City's purchasing policy and procedures [~~and Model Procurement Code~~]. Such other officers [~~and assistance officers~~] as may be deemed necessary may be elected or appointed by the Board of Directors. The Chair and Vice-Chair shall be elected by the Board of Directors every year at the June quarterly meeting of the Board of Directors and shall serve one-year terms. Officers may be reelected for additional terms. The City Clerk or Assistant City Clerk shall serve as Secretary of the Corporation.

2-24.04 Duties of Officers.[:]

The duties of the officers are as follows: Chair - The Chair shall have the authority and responsibility to preside over meetings; manage and administer the business and affairs of the Corporation including, without limitation, signing on behalf of the Corporation all contracts and other documents authorized by the Board of Directors, and perform such other duties that are specifically assigned to the Chair by the Board of Directors; Vice-Chair - During the absence or disability of the Chair, the Vice-Chair shall have all the duties and responsibilities of the Chair. Additionally, the Vice-Chair shall perform such other duties as are specifically assigned to the Vice-Chair by the Board of Directors; Secretary - The Secretary shall provide notice of meetings, attend meetings and take minutes, keep and maintain records for the Corporation, attest to the validity of the Corporation's records, and perform any other such duties as determined by the Board of Directors. All meeting notices shall comply with the Kentucky Open Meetings Act and all public records of the Corporation shall be maintained in accordance with Kentucky Open Records Act. The Chief Financial Officer, or designee, shall provide quarterly financial reports to the Board of Directors.

2-24.05[4] Meetings and Minutes.

The Board of Directors shall meet on the fourth Tuesday [~~third Wednesday~~] once per quarter at 10:00 a.m. [~~3:00 p.m.~~], with the [~~initial meeting occurring September 18, 2024 and~~]

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meetings occurring quarterly [~~after that~~] in October, January, April [~~December, March~~], and June. Additional meetings may be called by the Chair of the Board of Directors or upon written request of a majority of the members of the Board. Meetings shall be held at City Hall or such other place as the Chair or Board of Directors may from time to time designate in notices of special call meetings. All meetings of the Board of Directors shall be subject to the Kentucky Open Meetings Law and the Secretary shall maintain and keep minutes of [~~for~~] the meetings.

2-24.06[5] Powers and Duties.

The Corporation shall have the following powers:

- a. To raise and receive funds, apply for grants and solicit sponsorships, the proceeds of which shall be used in a manner consistent with the purposes of the Corporation;
- b. To receive donations, charitable contributions, and to establish endowments to be used in a manner consistent with the purposes of the Corporation; and,
- c. To do any and all other lawful acts reasonable necessary to carry out the purposes of the Corporation.

2. Chapter 15 (Business and General Regulations) is hereby amended as follows:

15-1 ALARMS.

15-1.11 Promulgation of Regulations.

The City Manager, Police Chief, Fire Chief and [~~Assistant City Manager~~]Chief Financial Officer shall each promulgate any and all regulations necessary to implement the duties assigned to their respective departments by this Subchapter, including but not limited to the registration of alarm protective service personnel, issuance of permits, collection of fees, determination of false alarms, revocation and denial of permits, and appeals.

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15-7.02 Mobile Food Unit Vendor Regulations.

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o. Consent for Mobile Food Units or Pushcarts to operate on other City property to include City parking lots and parks shall be obtained from the Parks and Recreation Director for the use of any park property and from the [~~Assistant City Manager~~]/CFO for all other City properties prior to operating on such City property. The City may impose conditions for the approval of such requests as it deems necessary for health and safety and to mitigate the impact of vending that conflicts with City operations. The City has the authority to limit or prohibit such operation on other City properties.

15-7.03 Permits.

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d. The Mobile Food Unit Vendor or Pushcart Vendor shall not commence work until all insurance has been obtained and copies of policies or certificates thereof are submitted to and approved by the City of Bowling Green's Human Resources & Risk Management Department. Prior to commencing work, the Vendor shall maintain continuous liability coverage written on an occurrence basis or, if on a claims made basis, with an extended coverage provision (EC[R]P) option of not less than three (3) years. Coverage will be provided through insurance companies licensed to do business in the State of Kentucky with a Best Rating of A- or better. Without limiting Vendor's indemnification requirements, it is agreed that Vendor/Seller shall procure and maintain in force at all times during the performance of this agreement the following policy or policies of insurance covering its operations in the minimum limits set out below.

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15-7.04 Enforcement, Penalties, Denial, Revocation or Suspension of Permit.

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b. The [~~Assistant City Manager~~]/CFO may deny the issuance of a Mobile Food Unit Vendor or Pushcart Vendor permit pursuant to this Subchapter due to the failure of the applicant

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to meet the requirements of this Subchapter or for filing an application that contains material false or untrue statements. The [~~Assistant City Manager~~]/CFO may revoke or suspend the Mobile Food Unit Vendor or Pushcart Vendor permit of any person or business entity that violates the provisions of this Subchapter, including but not limited to: (1) the failure of the permittee to comply with this Subchapter and other laws and regulations involving the operations of the Mobile Food Unit or Pushcart; (2) the failure of the permittee to pay the appropriate permit fees, other taxes and fees and civil fines payable to the City; and (3) the submission by the permittee of an application that contains material false or untrue statements. Any denial, suspension or revocation shall be in writing setting forth the basis for the denial, suspension or revocation. The applicant or permittee may request an appeal in writing within twenty (20) days following the date of the denial, suspension or revocation addressed to the City Manager. The City Manager shall review the record and the basis for the denial, suspension or revocation and may meet with the applicant or permittee. The decision of the City Manager shall be final.

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15-8 COMMERCIAL MOTION PICTURE AND TELEVISION PRODUCTION
EVENTS.

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15-8.04 Application for Permit.

A person seeking the issuance of a permit pursuant to this Subchapter shall file an application with Community Engagement [~~Neighborhood Services~~] Division on forms provided by that office not less than three (3) working days before the planned set-up, staging, filming or videotaping. Community Engagement [~~Neighborhood Services~~] Division may waive the minimum filing period and accept an application filed within a shorter period.

15-8.05 Standards for Issuance of Permit.

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Community Engagement [~~Neighborhood Services~~] Division shall issue a permit as provided for hereunder, when after consideration of the application and from such other information as may otherwise be obtained, it finds that:

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15-8.06 Notice of Rejection, Approval of Application for Permit.

a. If the application is denied, Community Engagement [~~Neighborhood Services~~] Division shall prepare and sign an order stating the reasons for the denial of the application and mail it to the applicant.

b. If the application is approved, Community Engagement [~~Neighborhood Services~~] Division shall prepare an order of approval and mail it to the applicant stating any special conditions imposed on the permit as determined by Community Engagement [~~Neighborhood Services~~] Division.

15-8.08 Contents of Permit Application.

Each commercial motion picture and television production permit application shall be signed by an authorized agent for the applicant and shall contain the following information:

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m. Such other information as Community Engagement [~~Neighborhood Services~~] Division shall find necessary for the enforcement of this Subchapter.

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15-8.13 Performance Bond; Insurance; Permit Fee.

a. If required by Community Engagement [~~Neighborhood Services~~] Division, the permittee shall remit to Community Engagement [~~Neighborhood Services~~] Division a performance bond before the permit is issued. The type and amount of the bond shall be determined within the discretion of Community Engagement [~~Neighborhood Services~~] Division based on information

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contained in the application. The purpose of the bond is to pay for damages to City facilities and City equipment, to pay for any clean-up costs incurred by the City and to pay for any personnel costs. Any part of the performance bond not withheld by the City shall be returned to the permittee within thirty (30) business days after the completion of the production.

b. If required by Community Engagement [~~Neighborhood Services~~] Division, the permittee shall obtain and present evidence of comprehensive liability insurance naming the City as an insured in an amount and from an insurance company satisfactory to the City. The permittee shall also execute a hold harmless agreement in which the permittee agrees to defend, pay and hold harmless the City, its officers and employees from any and all claims for personal or property damages or injuries arising from or in any way connected to the production permit.

c. A permit application fee of thirty (\$30.00) dollars shall be submitted with the application to Community Engagement [~~Neighborhood Services~~] Division. Payment of this permit fee does not waive payment of any other occupational or business license fees related to Chapter 18 (Occupational License Fees and Taxes) of the City Code of Ordinances.

15-8.14 Enforcing Office, Powers and Duties.

Community Engagement [~~Neighborhood Services~~] Division is hereby charged with the enforcement of the provisions of this Subchapter and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of the provisions of this Subchapter. All such rules and regulations shall be subject to the consent and approval of the City Manager.

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3. Chapter 22 (Traffic and Motor Vehicles) is hereby amended as follows:

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22-2 DEFINITIONS.

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“Community Engagement [~~Neighborhood Services~~] Division” shall mean a division in the Neighborhood and Community Services Department of the City of Bowling Green.

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22-5.02 Application for Permit.

A person seeking issuance of a special event permit shall file an application with Community Engagement [~~Neighborhood Services~~] Division on forms provided by this office not less than sixty (60) calendar days before the date on which it is proposed to conduct the special event. Community Engagement [~~Neighborhood Services~~] Division may waive the minimum filing period and accept an application filed within a shorter period.

22-5.03 Standards for Issuance of Permit.

Community Engagement [~~Neighborhood Services~~] Division shall issue a permit as provided for hereunder when, after consideration of the application and from such other information as may otherwise be obtained and when City resources and facilities can be reasonably accommodated, it finds that:

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22-5.04 Notice of Rejection, Approval of Application for Permit.

a. If the applicant provides incomplete or false information or fails to comply with the terms of this Subchapter the special event permit shall be denied.

b. If the application is denied by Community Engagement [~~Neighborhood Services~~] Division, the applicant shall be notified in writing.

c. If the permit is approved by Community Engagement [~~Neighborhood Services~~] Division, the applicant should be notified in writing.

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22-5.07 Permit Application.

Community Engagement [~~Neighborhood Services~~] Division shall develop and maintain a special event permit application that will collect the necessary information to show the nature and scope of the special event.

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22-5.11 Deposit/Rental Fees.

If required by Community Engagement [~~Neighborhood Services~~] Division, the permittee shall remit to Community Engagement [~~Neighborhood Services~~] Division a deposit before the special event permit is issued. The type and amount of the deposit shall be determined within the discretion of Community Engagement [~~Neighborhood Services~~] Division based on information contained in the application. The purpose of the deposit is to pay for damages to City property and to pay the costs incurred by the City in the cleanup of the special event. Any part of the deposit not withheld by the City will be returned to the permittee within thirty (30) working days after the event has occurred. In addition to the deposit, persons requesting the rental of certain City property shall be required to comply with established rental fees.

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22-5.13 Notices.

If required by Community Engagement [~~Neighborhood Services~~] Division, the permittee shall submit a public notification plan detailing the media and means by which they commit to publicize their event in the two (2) weeks leading up to the event. Permittee shall also be required to specifically inform private property and business owners who might be inconvenienced during the event.

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22-5.15 Enforcing Office, Powers and Duties.

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Community Engagement [~~Neighborhood Services~~] Division is hereby charged with the enforcement of the provisions of this Subchapter and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of the provisions of this Subchapter. All such rules and regulations shall be subject to the consent and approval of the City Manager.

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4. Chapter 25 (Code of Ethics) is hereby amended as follows:

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25-6 OFF-DUTY EMPLOYMENT.

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4. Management level positions (Directors of the Office of City Manager, Departments of Finance, Human Resources and Risk Management, Information Technology, Law, Neighborhood and Community Services, Public Works, Parks and Recreation, Police and Fire, and the City Internal Auditor) shall notify the City Manager prior to creating, contracting with, or being employed by any agency or business firm other than the City. The City Manager shall provide written approval or disapproval, which shall be forwarded to the Board of Commissioners. Any request by the City Manager shall receive prior approval by the Board of Commissioners.

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25-12 FINANCIAL DISCLOSURE.

1. The following classes of public officials and employees of the City shall file an annual statement of financial interests with the Board of Ethics:

- A. Elected City Officials.
- B. City Manager and Department Heads.
- C. Assistant Chief Financial Officer(s).

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- D. City Internal Auditor.
- E. Candidates for elected office.

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5. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

6. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed, and any and all written policies, procedures, forms or official documentation that are inconsistent with this Ordinance are hereby amended to reflect the appropriate changes approved herein.

7. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on August 5, 2025, and given final reading on August 19, 2025, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: August 19, 2025

APPROVED: 
Mayor, Chairman of Board of Commissioners

ATTEST: 
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager