

Ornstein, Rich - KACo

From: Livingston Co. Judge/Executive (Chris Lasher)
Sent: Tuesday, April 03, 2012 11:57 AM
To: Ornstein, Rich - KACo
Subject: RE: Ordinance Assistance

Rich,
In Livingston County we use the statutory provisions that allow me and the road foreman to issue the permit. We do require a road bond. This was set into place by the Fiscal Court, they voted to require a road bond and we used the statutes that allow me and the road foreman to issue the permit. Don't ask which statutes we used but we determined we could do it without an ordinance, just use what state law was already in place. We have a road permit form we issue and we confirm the bond, sometimes we restrict weight limits, but that decision is mine and the road foreman's.

We spent some time determining how we could do it, I know some counties do an ordinance but we don't
Thanks,
Chris Lasher

From: Ornstein, Rich - KACo [<mailto:rich.ornstein@kaco.org>]
Sent: Tuesday, April 03, 2012 9:10 AM
To: Ornstein, Rich - KACo
Subject: Ordinance Assistance

Judge:

A county has contacted me looking for an ordinance entered into under KRS 189.212 and 189.230 relating to permits and cooperative agreements for trucks that cause damage to local roads based off their weight or size. In this case, the issue is logging.

Under these statutes, a county can require permits for trucks of certain sizes and weights with the company required to enter into a cooperative agreement with the county with the company providing a fee and/or a bond. I don't know if you have had that issue. But if so, and if it has been addressed, I would appreciate a copy.

As always, I appreciate the help.

Rich

Richard J. Ornstein, Attorney
Kentucky Association of Counties
400 Englewood Drive
Frankfort, Kentucky 40601

Office: 502.223.7667
Toll Free: 800.264.5226
Fax: 502.234.5091
Cell: 859.333.8350

This electronic mail transmission is intended solely for the named individual or entity to which it is addressed and may contain information that is confidential, proprietary and/or legally privileged. If you are not the intended recipient, do not read, copy, retain, forward or otherwise disseminate this message or any attachment. If you have received this transmission in error, please notify the Kentucky Association of Counties via reply e-mail and delete all copies of the message and any attachment from your system.