

## Scenic Kentucky Resolution # 2012 – 1

### **A Resolution in Support of Metro Council Ordinance 0-41-02-12 Relating to the Obstruction of Public Right-of-Ways by Objects, Structures, Street Furniture, Etc.**

**Whereas:** Scenic Kentucky strongly supported the Metro Council efforts in 2009 and 2010 to secure the Kentucky Transportation Cabinet's (KTC) authority to regulate and control the placement of street furniture, including advertising benches, along state road rights-of-ways; and

**Whereas:** The Commonwealth of Kentucky, through the KTC, granted to Metro Council the requested authority to regulate and control the placement of street furniture in state road right-of-ways in the Spring of 2010; and

**Whereas:** Scenic Kentucky has been told that the KTC granted no permits to allow bench billboards in the state road right-of-ways, thus making those in existence illegal non-conforming uses; and

**Whereas:** Scenic Kentucky learned of the subsequent assignment of responsibility for permitting and cleaning up all roadway clutter (including bench billboards) to the Metro Public Works Department in the Fall of 2010; and

**Whereas:** Scenic Kentucky learned (in the Spring of 2011) of the passage of an ordinance allowing 100 such bench billboards to be placed in the Metro area, if properly identified and complying with all rules and regulations (including zoning) then in place by Metro Louisville; and

**Whereas:** Scenic Kentucky notes that (per documents secured in September, 2011) such approvals under the current regulations, if in fact granted, were only temporary in nature per these earlier standards; and

**Whereas:** Scenic Kentucky has noted a vast proliferation of these bench billboards, a great majority of which could not be in compliance with the current rules and regulations;

**Now Therefore;** Scenic Kentucky strongly supports Ordinance 0-41-02-12 and the creation of new rules and regulations that address what is a proper street bench that is located in the public right-of-way; and,

**Further:** Scenic Kentucky strongly supports the position that the current vast proliferation of bench billboards be declared illegal non-conforming uses and therefore subject to immediate removal.

Marlene M. Grissom, President  
Scenic Kentucky  
April 2, 2012

Scenic Kentucky Board: Marlene M. Grissom, President; Mary Stone, Vice President; Kate Davis, Secretary-Treasurer; Jeanne Ferguson; Rick Heath; Roberta Henderson; Mary Klein; Mary Helen Myles; Edwin H. Perry; Stephen T. Porter; Becky Shaw; Jeffrey Skelton; Mary Hilliard Wilson; and Paul Bergmann, Executive Director