

AGENDA
MEETING OF THE CITY COUNCIL
VERSAILLES MUNICIPAL BUILDING
November 4, 2025 AT 5:30 P.M.

1. Prayer
2. Pledge
3. Roll Call
4. Approval of October 21, 2025 Meeting Minutes
5. Public Comment
6. Kris Smith-Metronet Joint Venture With T-Mobile
7. Rich Pictor- Woodford County Park Tree and Vegetation Removal
8. Amanda Wainscott- Christmas Events and Social Media Update
9. KY Tree Grant
10. FY25 Audit Engagement
11. 2nd Reading Ordinance 2025-19 An Ordinance Approving the Text Amendment to Articles X of the Versailles-Midway-Woodford County Zoning Ordinance
12. RFP's- Downtown Sound System and Public Wi-Fi
13. Mayor Miscellaneous
14. Council Miscellaneous/Committee Reports
15. Department Directors
16. Executive Session - Pursuant to KRS.61.810(1)(b) to Deliberate on the Future Acquisition or Sale of Real Property
17. Adjournment

SUBJECT TO REVISION

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MINUTES OF REGULAR COUNCIL MEETING
VERSAILLES MUNICIPAL BUILDING/5:30 P.M.

ROLL CALL: MAYOR LAURA DAKE PRESIDED OVER THE MEETING. ALSO PRESENT WERE COUNCIL MEMBERS CHANTEL BINGHAM, MARY BRADLEY, LISA JOHNSON, GARY JONES, ANN MILLER AND FRED SIEGELMAN. CITY ATTORNEY BILL MOORE WAS ALSO PRESENT.

DEPT. HEADS: MITZI DELIUS, BART MILLER, T.A. RANKIN, ELIZABETH REYNOLDS AND ROB YOUNG WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.

MOTION BY SIEGELMAN, SECONDED BY BRADLEY TO APPROVE AND ADOPT THE MINUTES OF THE OCTOBER 7, 2025 REGULAR COUNCIL MEETING.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller and Siegelman voting aye.

Public Comment

Magistrate Larry Blackford, on behalf of the Woodford County NAACP, thanked Mayor Dake and the council for attending the recent NAACP Gala and supporting diversity.

Heather Cochran, of RFH CPAs, presented the Fiscal Year 2024 Audit with an unmodified "clean" audit opinion. She noted that there was a material weakness finding due to the number of audit adjustments that they were required to make. She stated that adjustments are mostly due to period/timing issues or depreciation. Ms. Cochran recommended that the City tighten and change their year-end procedures and work with Baldwin CPAs, the City's bookkeeping firm, to ensure that these adjustments are made prior to the beginning of the audit. She also noted that there were two findings related to the audit not being completed by April 1st. She stated that going forward, the City and their bookkeeping firm need to ensure that adjustments and other audit preparations are completed in a timely manner. Ms. Cochran also presented the Single Audit which was required due to the City expending more than \$750,000 in federal grant funds. The Single Audit also received an unmodified opinion.

MOTION BY JOHNSON, SECONDED BY JONES TO ACKNOWLEDGE AND ACCEPT THE FISCAL YEAR 2024 AUDIT AS PREPARED BY RFH CPAS.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller and Siegelman voting aye.

At the request of Council member Siegelman, City Attorney Bill Moore provided second reading of Ordinance 2025-17 An Ordinance Enacting and Adopting a Supplement to the Code of Ordinances of the City of Versailles, Kentucky, as follows:

**CITY OF VERSAILLES, KENTUCKY
ORDINANCE NO. 2025-17**

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES OF THE CITY OF VERSAILLES, KENTUCKY**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2025 S-35 supplement to the Code of Ordinances of the City of Versailles, Kentucky, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes; and

WHEREAS, it is the intent of the City Council to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky.

NOW, THEREFORE, BE IT ORDAINED by the City of Versailles, Kentucky:

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MINUTES OF REGULAR COUNCIL MEETING
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SECTION 1. That the S-35 supplement to the Code of Ordinances of the City of Versailles, Kentucky, as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage, approval and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 7th day of October, 2025, and fully adopted after the second reading at a meeting of said council held on the 21st day of October, 2025.

APPROVED:

LAURA DAKE, MAYOR

ATTEST:

ELIZABETH REYNOLDS, CITY CLERK

MOTION BY JOHNSON, SECONDED BY BINGHAM TO APPROVE AND ADOPT ORDINANCE 2025-17 AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF VERSAILLES, KENTUCKY.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller and Siegelman voting aye.

At the request of Council member Bradley, City Attorney Moore provided second reading of Ordinance 2025-18 An Ordinance Amending Article VIII of the Zoning Ordinance Addressing Nonconforming Uses, as follows:

**CITY OF VERSAILLES
ORDINANCE NO. 2025-18**

TITLE: AN ORDINANCE AMENDING ARTICLE VIII OF THE ZONING ORDINANCE ADDRESSING NONCONFORMING USES.

WHEREAS, the Cities of Versailles and Midway, and the Woodford Fiscal Court, have participated in a joint planning program to assist and promote the orderly development of their cities and county; and,

WHEREAS, the Kentucky Revised Statutes Chapter 100 provides that the Legislative Bodies of Incorporated Cities and the Fiscal Court of the County containing those Kentucky Cities may adopt land use regulations, including zoning and growth management regulation; and,

WHEREAS, the Local Governments of Woodford County, Kentucky desire to promote orderly community growth under the guidance of the Woodford County Comprehensive Plan; encourage and protect the most appropriate use of land throughout the cities and county; protect and enhance property values for the community as a whole; promote for the purpose of promoting public health, safety, or general welfare of the community, regulations governing uses of property that do not conform to the current ordinances and regulations; and,

WHEREAS, the Versailles-Midway-Woodford County Planning Commission, Kentucky did conduct a public hearing for proposed the Text Amendments to Article VIII of the Zoning Ordinance contained herein and has recommended to the City of Versailles that such amendments be adopted;

NOW, THEREFORE, BE IT ORDAINED in the City of Versailles, Kentucky as follows:

Section 1. Repeal of Article VIII of the Zoning Ordinance. Article VIII of the Versailles-Midway-Woodford County Zoning Ordinance is hereby repealed in its entirety.

Section 2. New Article VIII. A new Article VIII of the Versailles-Midway-Woodford County Zoning Ordinance is hereby adopted as follows:

ARTICLE VIII

NON-CONFORMITIES

801 INTENT

If, within the districts established by this Ordinance or amendments that may later be adopted, there exist lots, structures and uses of land and structures which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendment, it is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon or expanded, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

802 NONCONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No nonconforming structure may be enlarged, moved, or structurally altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity. Voluntary demolition of a nonconforming structure nullifies its nonconforming rights. Should a nonconforming structure or nonconforming portion of structure be voluntarily destroyed, moved or removed to an extent of 55 percent or more of its replacement cost at time of destruction (exclusive of foundations), it shall not be repaired or reconstructed except in conformity with the provisions of this Ordinance.

B. When a nonconforming structure is involuntarily destroyed or removed, it shall retain its nonconforming rights for a period of six (6) months. Failure to reestablish the structure within six (6) months nullifies the nonconforming rights. Re-establish, for the purposes of this section, shall mean that necessary permits and approvals have been obtained or have been applied for and that binding contracts for the construction of the principal structure have been let; in the absence of contracts, the principal structure must be under construction to a substantial degree (at least 55 percent of the construction completed).

C. Whenever a non-conforming sign collapses, burns, or is removed from its location, it shall not be replaced or reconstructed, except in full compliance with the provisions of this Ordinance. Signs which have been abandoned or which advertise an establishment, service, or product which has not existed or been available at that location for a period of six (6) months shall be removed by the property owner at their sole cost and expense. If the sign is destroyed beyond 55 percent of its replacement value, such sign can only be replaced or reconstructed in accordance with the requirements of this Ordinance, as well as any recorded Development Plan. Any sign which cannot be replaced or reconstructed in compliance with this Section shall be removed by the property owner at owner's sole cost and expense.

D. A nonconforming structure may be altered to the extent necessary to comply with a lawful order of government officials.

E. Existing nonconforming structures located in the special flood hazard area shall not be expanded but may be otherwise modified, altered, or repaired provided such measures incorporate flood-proofing of the structure in accordance with Article X and FEMA standards.

1 NONCONFORMING USES OF LAND

Where at the time of passage of this Ordinance or amendments, lawful use of land exists which would not be permitted in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful subject to the following provisions:

- A. No nonconforming use, except single family residential uses, shall be enlarged, increased or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance;
- B. No nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance;
- C. A nonconforming use may continue indefinitely; however, if any nonconforming use of land ceases for any reason for twelve (12) consecutive months or more, except where government action impedes access to the premises, the nonconforming status shall be nullified. Any subsequent use of land shall be in conformity with the regulations of the district in which it is located;
- D. Sale of a property containing a nonconforming use shall have no effect on the nonconforming status;
- E. Where nonconforming use status applies, the removal or destruction of the occupied principal structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 55 percent or more of its replacement cost, exclusive of foundation, at time of destruction.

804 NONCONFORMING LOTS OF RECORD

- A. A nonconforming lot of record is any lot which was lawfully created prior to the adoption of the Zoning Ordinance but which has a smaller minimum lot area, frontage, or width than now required for that zoning district.
- B. A nonconforming lot of record may be used in accordance with the other applicable regulations for that zoning district. The subdivision of a nonconforming lot that creates a greater nonconformity is prohibited. The minor adjustment of lot lines between nonconforming lots may be allowed as long as an additional lot is not created.
- C. The Building Inspector and Planning Commission Director may approve Building and Zoning Permits for a lot of record if the proposed structure can comply with all district development standards except minimum lot area, frontage, or width. Variance of any other development standard must be obtained only through action of the Board of Adjustments.

805 REPAIRS AND MAINTENANCE

- A. On any nonconforming structure or portion of a structure containing a nonconforming use, any change that does not require a building permit is considered routine maintenance and shall not affect the nonconforming status.
- B. If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance and is declared by any Building or Fire Official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.
- C. Signs which are in legal existence on the effective date of this Ordinance and not in conformity with the provisions of this Ordinance may remain in place and shall be referred to as nonconforming signs. Only routine maintenance may be performed on the sign and its structure until such time as the sign is brought into conformance with these regulations. Routine maintenance is limited to replacement of nuts and bolts, cleaning and painting, or manipulating to level or plumb the device but not to the extent of adding struts or guys for the stabilization of the sign or structure or substantially changing the sign. The routine changing of messages is considered to be routine maintenance but the replacement of new casing/ framing or additional panels or replacing of facing material type shall not be considered routine maintenance.

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806. CONDITIONAL USES NOT NONCONFORMING USES

Any use which is permitted as a conditional use in a district under the terms of this Ordinance shall not be deemed a nonconforming use in such district but shall without further action be considered a conforming use.

Section 3. This ordinance shall become effective after passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 7th day of October, 2025, and fully adopted after the second reading at a meeting of said council held on the 21st day of October, 2025.

APPROVED:

LAURA DAKE, MAYOR

ATTEST:

ELIZABETH REYNOLDS, CITY CLERK

MOTION BY BRADLEY, SECONDED BY BINGHAM TO APPROVE AND ADOPT ORDINANCE 2025-18 AN ORDINANCE AMENDING ARTICLE VIII OF THE ZONING ORDINANCE ADDRESSING NONCONFORMING USES.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller and Siegelman voting aye.

At the request of Council member Bradley, City Attorney Moore provided second reading of Ordinance 2025-19 An Ordinance Approving the Test Amendment to Article X of the Versailles-Midway-Woodford County Zoning Ordinance.

Mayor Miscellaneous

Mayor Dake congratulated Council member Bradley as she will be awarded the Woodford County Business and Professional Woman of the Year tonight.

Mayor Dake stated that the council had approved soliciting bids for the downtown sound system and public wifi project at the last council meeting. She noted that after further discussions with the County, they have determined that a RFP would be a better process and is asking the council for their approval.

MOTION BY SIEGELMAN, SECONDED BY JOHNSON TO APPROVE SOLICITING REQUESTS FOR PROPOSALS FOR THE DOWNTOWN SOUND SYSTEM AND PUBLIC WIFI PROJECT.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller and Siegelman voting aye.

Mayor Dake announced that the Rotary Club of Woodford County is having a Charter Celebration tomorrow night 5:00 – 6:30pm at The Aldenberg Hotel.

She noted the upcoming Halloween events including the Woodford Spooktacular on Sunday, October 26th 4:00 – 8:00pm and the City's Boo Bash event on Thursday, October 30th 4:00 – 7:00pm. She also reminded everyone that Trick or Treat throughout Versailles and Woodford County will be Friday night 6:00 – 8:00pm.

Mayor Dake stated that everyone had received a copy of the general and enterprise fund cash balance reports as of September 30th. She noted that City Clerk Reynolds is preparing these reports monthly and that they are being distributed to council quarterly as the council has requested.

She distributed a copy of the recently signed Executive Order creating the Sustainability Committee.

Council member Bradley left the meeting at 5:55pm.

Council Miscellaneous/Committee Reports

Council member Bingham stated that there would be a Street/Stormwater/Cemetery Committee meeting on Monday, October 27th at 5:30pm at City Hall.

Council member Johnson stated that the second Nonprofit Roundtable meeting on food insecurity was held on October 10th and they were able to get in small groups and begin identifying “what can we do”. She noted that the third and final meeting to discuss food insecurity will be held on November 13th 9:30 – 10:30am at the Woodford County Library Community Room. She stated that public attendance is invited and welcome. Ms. Johnson noted that the food pantry has seen an increase in use and that the Monday night community meals have had an increase in attendance.

Council member Miller stated that the Downtown/Tourism/Communications Committee met and they are working on signage for downtown, possible changes to Granducci Alley, adjustments and ideas regarding the trees downtown, a proposed food truck ordinance, and addressing concerns and a need to enforce the two hour parking downtown. Ms. Miller stated that there were several business owners in attendance.

Police Chief Young noted that the signage downtown is inadequate to enforce the two hour parking or issue citations.

Mayor Dake also noted that the Walkability Committee will be meeting tomorrow at 5:30pm at City Hall.

Department Directors

Fire Chief Rankin stated that the Versailles Fire Department participated in a Alternative Fuels Vehicle Class.

Chief Rankin announced the death of Carl Ford, who passed away today. He noted that Mr. Ford was a true patriot serving in the military and then serving with the Versailles Fire Department for forty years. He stated that the visitation will be Sunday followed by the funeral on Monday and a cemetery service at Camp Nelson.

Public Works Director Bart Miller presented a quote for a lawnmower for the street department. He noted that it is a budgeted item and the vendor is a state price contract vendor.

Central Equipment	\$11,513.00
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MOTION BY SIEGELMAN, SECONDED BY BINGHAM TO APPROVE AND ACCEPT THE QUOTE AS PRESENTED BY CENTRAL EQUIPMENT FOR AN EXMARK MOWER FOR THE STREET DEPARTMENT IN THE TOTAL AMOUNT OF \$11,513.00.

The vote was as follows: Bingham, Johnson, Jones, Miller and Siegelman voting aye.

MOTION BY MILLER, SECONDED BY BINGHAM TO ENTER INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(b) TO DELIBERATE ON THE FUTURE ACQUISITION OR SALE OF REAL PROPERTY.

The vote was as follows: Bingham, Johnson, Jones, Miller and Siegelman voting aye.

MOTION BY JOHNSON, SECONDED BY BINGHAM TO RETURN FROM EXECUTIVE SESSION WITH NO ACTION TAKEN.

The vote was as follows: Bingham, Johnson, Jones, Miller and Siegelman voting aye.

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MOTION BY MILLER, SECONDED BY SIEGELMAN TO APPROVE ENTERING INTO AN INTERGOVERNMENTAL PARTNERSHIP AGREEMENT FOR THE PURCHASE AND SALE OF 105 INDUSTRY DRIVE WITH THE ADDITIONAL LANGAUGE AS NOTED TO PARAGRAPH 2.1.

The vote was as follows: Bingham, Johnson, Jones, Miller and Siegelman voting aye.

Mayor Dake adjourned the meeting without objections.

APPROVED:

LAURA DAKE, MAYOR

ATTEST:

ELIZABETH C. REYNOLDS, CITY CLERK

Email from: Dennis Durnal Marathon Pipe Line

Marathon Pipe Line operates a petroleum pipeline on the neighboring properties just north of Woodford County Park. We plan to clear and reclaim the fence line on that property to remove trees and woody vegetation that have grown over and around our pipeline. This area has not been maintained by the landowners, and unfortunately, it has been overlooked on our end until this year. We now need to reclaim it to ensure proper access and protection for the pipeline.

Due to Kentucky's environmental regulations, specifically those protecting bat habitats, we won't be able to begin this work until after November 1st. Once I have a confirmed schedule, I'll follow up with you to provide approximate start dates. The work is expected to last approximately 4–5 weeks.

While I don't anticipate any impact to the asphalt trail on your property, the dirt trail that runs east to west along the property line may be affected during the clearing process.

Richard,

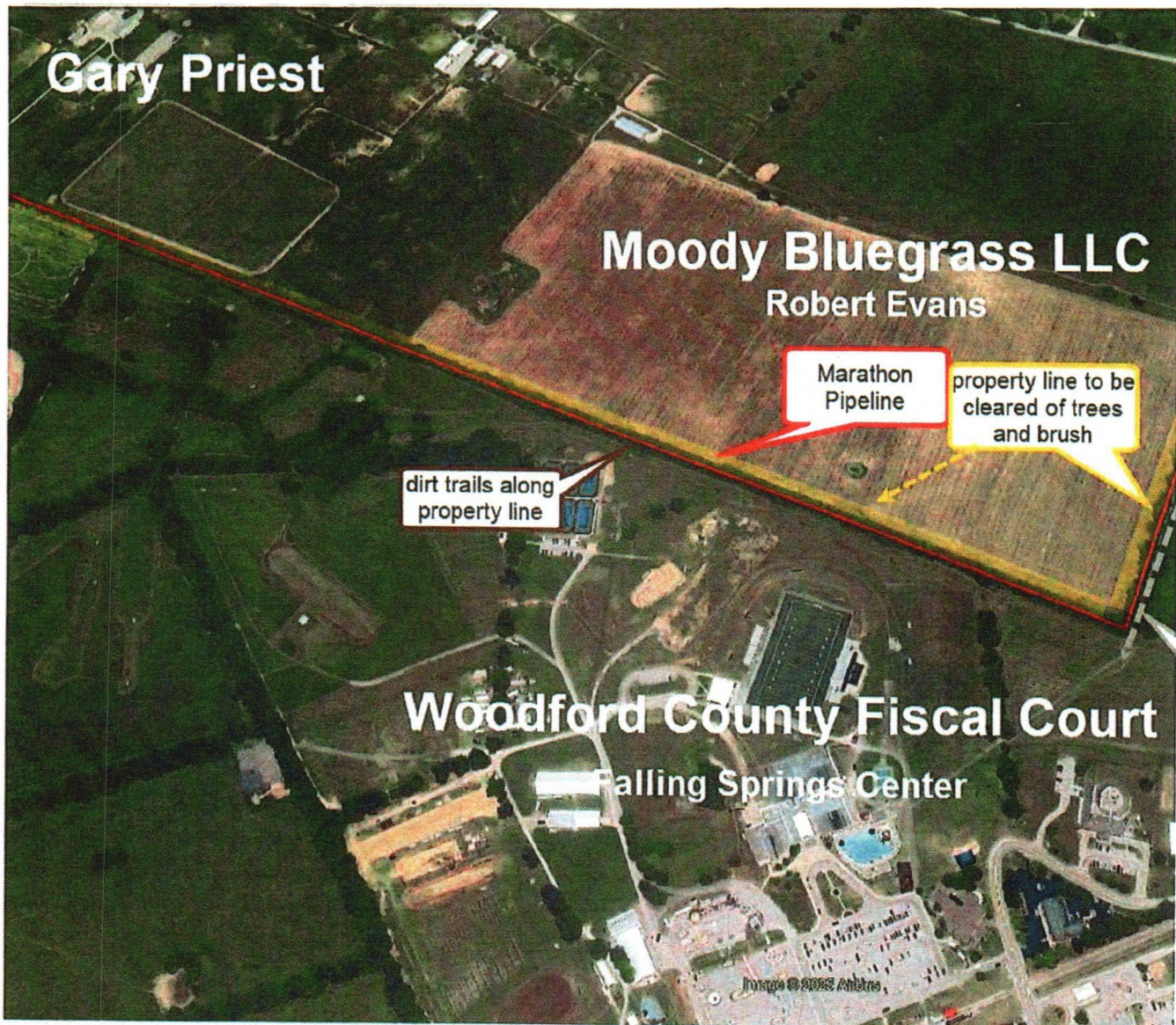
Please see my responses to your questions below in red. There are more than 3.3 million miles of DOT transmission pipelines in the US, and roughly 7,100 miles of DOT pipelines in Kentucky for your reference.

1. **When was pipeline originally installed** 1962/63
2. **What is carried in the pipeline natural gas? Oil?** Refined petroleum products (gasoline, diesel, jet fuel)
3. **How often is the line inspected?** Marathon Pipeline's pipelines are monitored 24 hours a day, 365 days a year through a dedicated operations center to ensure the safety and integrity of our infrastructure. In addition to continuous monitoring, our pipelines are inspected using a comprehensive range of methods, including Walking surveys, Aerial patrols, Depth of cover surveys, Right-of-way inspections, Cathodic protection surveys, In-line inspection tool runs (smart pigging), Hydrostatic pressure testing, Waterway crossing inspections, Pipeline inspection digs. These proactive measures are part of our ongoing commitment to safety, environmental stewardship, and operational excellence. You can also reference pages 33-43 in the [hyperlink https://www.marathonpipeline.com/content/documents/mpl-2017/Living Along the Pipeline 2021.pdf](https://www.marathonpipeline.com/content/documents/mpl-2017/Living Along the Pipeline 2021.pdf)
4. **How deep is the line buried?** This line averages +/-4 feet deep. Could be deeper in certain locations such as under roadways and waterways etc.
5. **Do you know the last time the vegetation was cleared out along this line?** Marathon Pipe Line conducts annual vegetation maintenance on this pipeline system in various forms to ensure safe and reliable operations. This particular location presents a unique challenge, as the pipeline was originally installed close to the property line and adjacent fence line. Over time, the landowners ceased maintaining the fence line, and vegetation encroachment increased. Due to a longstanding assumption that the pipeline was located farther from the fence line than it is, this area was inadvertently overlooked in previous maintenance cycles. As a result, it has become necessary to reclaim the right-of-way in this section to restore proper access and visibility.
6. **How long is the total pipeline where dose it start and end?** This pipeline system is roughly 86 miles long. It starts in Louisville an ends in Lexington.

Thanks,

Dennis Durnal III





Thanks,

Dennis Durnal III



Senior Right-of-Way Specialist
Marathon Pipe line LLC
4801 Camp Ground rd,
Louisville, KY 40216
Cell: 419-581-0038
Email: ddurnal@marathonpetroleum.com

"Short term thinking has long term consequences"



Members American Institute of Certified Public Accountants
and Kentucky Society of Certified Public Accountants

October 28, 2025

To Mayor Laura Dake and the City Council
City of Versailles
196 South Main Street
Versailles, Kentucky 40383

We are pleased to confirm our understanding of the services we are to provide for City of Versailles, Kentucky for the year ended June 30, 2025.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of City of Versailles, Kentucky as of and for the year ended June 30, 2025. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement City of Versailles, Kentucky's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to City of Versailles, Kentucky's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budget Information.
- 3) Pension and Other Post-Employment Benefit Schedules.

We have also been engaged to report on supplementary information other than RSI that accompanies City of Versailles, Kentucky's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements.

- 1) Schedule of expenditures of federal awards.
- 2) Combining and Individual Non-Major Governmental Funds.
- 3) Long-Term Debt Schedules.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain

assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

Audit planning has not yet concluded; however, we anticipate the following significant risks of material misstatement:

- (1) Receivables and revenue related to self-reported revenue streams, such as insurance premium and occupational taxes, are a significant risk due to fraud.
- (2) Utility billing receivables and revenue are a significant risk due to fraud.
- (3) New debt issues are a significant risk of material misstatement due to the complexity of the accounting requirements, if applicable.
- (4) The net pension and OPEB liabilities and related outflows/inflows from the county employees retirement system and are a significant risk due to the complexity of the accounting requirements.
- (5) Expenditures pose an additional risk of fraud because of the possibility of management override of controls as well as state mandated bidding requirements.
- (6) Leases and subscription-based IT arrangements, poses a significant risk of material misstatement because of the complexity of the requirements.
- (7) Revenue recognition is significant risk due to a presumed fraud risk.
- (8) Capital assets are a significant risk due to prior audit adjustments.
- (9) Schedule of expenditures of federal awards is a significant risk due to prior audit adjustments.
- (10) Accounts payable pose a significant risk due to prior audit adjustments.
- (11) Unearned and unavailable revenue is a significant risk due to prior audit adjustments.
- (12) Police merger revenue is a significant risk due to the cost sharing arrangements and necessary audit adjustments.
- (13) GASB 101 Compensated Absences is a significant risk due to the complexity of the requirements and this being the first year of implementation.

If additional significant risks arise during planning or audit procedures, we will communicate those risks to you timely.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Versailles Kentucky's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of City of Versailles, Kentucky's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on City of Versailles Kentucky's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us; for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers); and for the evaluation of whether there are any conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for the 12 months after the financial statements date or shortly thereafter (for example, within an additional three months if currently known). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period

presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to [include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon OR make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of City of Versailles, Kentucky in conformity with accounting principles generally accepted in

the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

We are also available to consult on certain accrual adjustments for items not yet recorded and consult on the implementation of GASB 101, Compensated Absences, if requested.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the Federal Audit Clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of RFH, PLLC and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of RFH, PLLC personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the oversight agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Heather R. Cochran, CPA, is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit at a mutually agreed upon time.

Our fee for these services will range from \$41,900- \$45,900 for the financial statement audit. If the City is subject to the federal single audit requirements, our fee for those services will be \$6,500. Our invoices for these fees will be rendered periodically as work progresses and are payable on presentation. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will keep you informed of any problems we encounter, and our fees will be adjusted accordingly.

Additional assistance for implementation of GASB 101, Compensated Absences, and assistance with accrual adjustments may be provided at our standard hourly rate.

The above fees do not include preparation of the UFIR. We estimate the cost of preparing UFIR to be \$1,300.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to Mayor and City Council of City of Versailles Kentucky. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the City of Versailles, Kentucky and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to us.

Very truly yours,



Heather R. Cochran, CPA/CGFM

RFH, PLLC

RESPONSE:

This letter correctly sets forth the understanding of City of Versailles, Kentucky.

Management signature: _____

Title: _____

Date: _____

Governance signature: _____

Title: _____

Date: _____

CITY OF VERSAILLES
ORDINANCE NO. 2025 -19

TITLE: AN ORDINANCE AMENDING ARTICLE X OF THE ZONING ORDINANCE FOR THE CITY OF VERSAILLES TO RE-NUMBER SECTIONS, ADD DEFINITION OF SUBSTANTIAL IMPROVEMENT AND ADD REFERENCE TO 2017 FEMA FLOOD MAP.

WHEREAS, the Versailles-Midway-Woodford County Planning Commission, Kentucky did conduct a public hearing for the Text Amendments to the Zoning Ordinance contained herein and has recommended to the City of Versailles that such amendment be adopted;

WHEREAS, the Versailles City Council has determined that it is appropriate to adopt such text amendment and amend Article X of the Zoning Ordinance in the City of Versailles, Kentucky, as follows:

Section 1. Article X of the Versailles-Midway-Woodford County Zoning Ordinance is hereby amended as follows:

ARTICLE X FLOOD DAMAGE PREVENTION REGULATIONS ORDINANCE

1000 ~~ARTICLE 4~~ Statutory Authorization, Findings of Fact, Purpose and Objectives

1000.1 ~~Section A~~ Statutory Authorization - The Legislature of the Commonwealth of Kentucky has in Kentucky Revised Statutes 100 delegated to local government units the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Planning Commission, the Councils of the City of Versailles and the City of Midway, and the Fiscal Court of Woodford County, Kentucky, hereby adopt the following Floodplain Management Article ordinance, as follows:

1000.2 ~~Section B~~ Findings of Fact

- A. A) The flood hazard areas of Versailles, Midway, and Woodford County are subject to periodic inundation which result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all which adversely affect the public health, safety, and general welfare.

- B. ~~B~~) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increased flood height and velocity, and by the location in flood hazard areas of uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise protected from flood damage.

1000.3 ~~Section-C~~ Statement of Purpose - It is the purpose of this Article ~~ordinance~~ to promote the public health, safety, and general welfare and to minimize public and private loss due to flooding by provisions designed to:

- A. ~~A~~) Restrict or prohibit uses which are dangerous to health, safety, and property due to water erosion hazards, or which result in damaging increases in erosion or in flood height or velocity;
- B. ~~B~~) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. ~~C~~) Control the alteration of natural floodplains, stream channels, and natural protective barriers which accommodate or channel flood waters;
- D. ~~D~~) Control filling, grading, dredging, and other development which may increase erosion or flood damage, and;
- E. ~~E~~) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other areas.

1000.4 ~~Section-D~~ Objectives - The objectives of this Article ~~ordinance~~ are to:

- A. ~~A~~) Protect human life and health;
- B. ~~B~~) Minimize expenditure of public money for costly flood control projects;
- C. ~~C~~) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. ~~D~~) Minimize prolonged business interruptions;
- E. ~~E~~) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines; streets and bridges located in areas of special flood hazard;
- F. ~~F~~) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard or other flood-prone areas in such a manner as to minimize future flood blighted areas caused by flooding;
- G. ~~G~~) Ensure that potential homebuyers are on notice that property is in a Special Flood Hazard Area; and
- H. ~~H~~) Ensure that those who occupy a Special Flood Hazard Area assume responsibility for their actions.

1001 ARTICLE 2 Definitions

Unless specifically defined below, words or phrases used in this Article ordinance shall be interpreted to give them the meaning they have in common usage and to give this Article ordinance its most reasonable application.

A Zone - Portions of the special flood hazard area (SFHA) in which the principle source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to structures. Areas of 100-year flood, base flood elevations and flood hazard factors are not determined.

Accessory Structure (Appurtenant structure) - A structure located on the same parcel of property as the principle structure, the use of which is incidental to the use of the principle structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and should be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Accessory Use - A use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

Addition (to an existing structure) - Any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

A1-30 and AE zones - Special Flood Hazard Areas inundated by the 1% annual chance flood (100-year flood. Base flood elevations (BFEs) are determined.

AH Zone - An area of 100-year shallow flooding where depths are between 1 and 3 feet (usually shallow ponding). Base flood elevations are shown.

AO Zone - An area of 100-year shallow flooding where water depth is between one and three feet (usually sheet flow on sloping terrain) Flood depths are shown.

Appeal - A request for a review of the Floodplain Administrator's interpretation of any provision of this Article ordinance or from the floodplain administrator's ruling on a request for a variance.

AR/A1 – A30, AR/AE, AR/AH, AR/AO, and AR/A zones - Special Flood Hazard Areas (SFHAs) that result from the de-certification of a previously accredited flood protection system that is in the process of being restored to provide a 100-year or greater level of flood protection. After restoration is complete these areas will still experience residual flooding from other flooding sources.

A99 Zone - That part of the SFHA inundated by the 100-year flood which is to be protected from the 100-year flood by a Federal flood protection system under construction. No base flood elevations are determined.

Area of Shallow Flooding - A designated AO or AH Zone on a community's Flood

Insurance Rate Map (FIRM) where the base flood depths range from one to three feet, there is no clearly defined channel, the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

B and X Zones (shaded) - Areas of the 0.2% annual chance (500-year) flood, areas subject to the 100-year flood with average depths of less than one foot or with contributing drainage area less than 1 square mile, and areas protected by levees from the base flood.

Base Flood - A flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this Article ordinance.

Base Flood Elevation (BFE) - The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Basement - That portion of a structure having its floor subgrade (below ground level) on all four sides.

Building - A walled and roofed structure that is principally aboveground; including a manufactured home, gas or liquid storage tank, or other man-made facility or infrastructure. See definition for structure.

C and X (unshaded) Zones - Areas determined to be outside the 500-year floodplain.

Community - A political entity having the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Community Rating System (CRS) - A program developed by the Federal Insurance Administration to provide incentives to those communities in the Regular Program to go beyond the minimum floodplain management requirements to develop extra measures for protection from flooding.

Community Flood Hazard Area (CFHA) - An area that has been determined by the Floodplain Administrator (or other delegated, designated, or qualified community official) from available technical studies, historical information, and other available and reliable sources, which may be subject to periodic inundation by floodwaters that can adversely affect the public health, safety and general welfare. Included are areas downstream from dams.

Critical Facility - Any property that, if flooded, would result in severe consequences to public health and safety or a facility which, if unusable or unreachable because of flooding, would seriously and adversely affect the health and safety of the public. Critical facilities include, but are not limited to: housing likely to contain occupants not sufficiently mobile to avoid injury or death unaided during a flood; schools, nursing homes, hospitals, police, fire and emergency response installations, vehicle and equipment storage facilities, emergency operations centers likely to be called upon before, during and after a flood, public and private utility facilities important to maintaining or restoring normal services before, during and after a flood, and those facilities or installations which produce, use or store volatile, flammable, explosive, toxic and/or water-reactive materials, hazardous

materials or hazardous waste.

D Zone - An area in which the flood hazard is undetermined.

Development - Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

Elevated Structure - A non-basement structure built to have the lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, piling, columns (post and piers), shear walls, or breakaway walls. (See freeboard requirements for residential and non-residential structures.)

Elevation Certificate - A statement certified by a registered professional engineer or surveyor on the FEMA-approved form in effect at the time of certification that verifies a structure's elevation and other related information to verify compliance with this Article ordinance.

Emergency Program - The initial phase under which a community participates in the NFIP, intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

Enclosure - That portion of a structure below the Base Flood Elevation (BFE) used solely for parking of vehicles, limited storage, or access to the structure.

Encroachment - The physical advance or infringement of uses, plant growth, fill, excavation, structures, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing construction - Any structure for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "Existing structures".

Existing Manufactured Home Park or Subdivision - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management ordinance adopted by the Versailles-Midway-Woodford County Planning Commission based on specific technical base flood elevation data which established the area of special flood hazards.

Expansion to an Existing Manufactured Home Park or Subdivision - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Five-Hundred Year Flood - The flood that has a 0.2 percent chance of being equaled or exceeded in any year. Areas subject to the 500-year flood have a moderate to low risk of flooding.

Flood, Flooding, or Flood Water:

- 4) A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e. mudflows). See Mudslides.
- 2) The condition resulting from flood-related erosion. See flood-related erosion.

Flood Boundary and Floodway Map (FBFM) -A map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and the regulatory floodway.

Flood Hazard Boundary Map (FHBM) -A map on which the boundaries of the flood, mudslide (i.e. mudflow), and flood-related erosion areas having special hazards have been designated as Zones A, M, and/or E by the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA).

Flood Insurance Rate Map (FIRM) - A map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated special flood hazard areas and risk premium zones.

Flood Insurance Study - The report provided by the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) containing flood profiles, the Flood Insurance Rate Map (FIRM), and/or the Flood Boundary Floodway Map (FBFM), and the water surface elevation of the base flood.

Floodplain or Flood-prone Area - Any land area susceptible to being inundated by flood waters from any source.

Floodplain Administrator - The individual appointed by a NFIP participating community to administer and enforce the floodplain management regulations ~~ordinances~~.

Floodplain Management - The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management ordinances, and open space plans.

Floodplain Management Regulations - This Article ~~ordinance~~ and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control), and other applications of police power, which control development in flood-prone areas. This term describes federal, state and/or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

Floodproofing Certificate - A certification by a registered professional engineer or architect, on a FEMA-approved form in effect at the time of certification stating that a non-residential structure, together with attendant utilities and sanitary facilities is watertight to a specified

design elevation with walls that are substantially impermeable to the passage of water and all structural components are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy and anticipated debris impact forces.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as the "regulatory floodway".

Floodway Fringe - That area of the floodplain on either side of the regulatory floodway where encroachment may be permitted without additional hydraulic and/or hydrologic analysis.

Freeboard - A factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood. Freeboard must be applied not just to the elevation of the lowest floor or floodproofing level, but also to the level of protection provided to all components of the structure, such as building utilities, HVAC components, etc.

Fraud and Victimization - As related in Section 1005 Article 6, Appeals and Variance Procedures, of this Article ordinance, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the City Council will consider the fact that every newly constructed structure adds to government responsibilities and remains a part of the community for fifty to one hundred years. Structures that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages may incur. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

Functionally Dependent Use Facility - A facility, structure, or other development, which cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Governing Body - The local governing unit, i.e. county or municipality that is empowered to adopt and implement ordinances to provide for the public health, safety and general welfare of its citizenry.

Hazard Potential - The possible adverse incremental consequences that result from the release of water or stored contents due to failure of a dam or mis-operation of a dam or appurtenances. The hazard potential classification of a dam does not reflect in any way the current condition of a dam and its appurtenant structures (e.g., safety, structural integrity, flood routing capacity).

Highest Adjacent Grade - The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic Structure - Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: a) By an approved state program as determined by the Secretary of the Interior, or b) Directly by the Secretary of the Interior in states without approved programs.

Increased Cost of Compliance (ICC) – Increased cost of compliance coverage provides for the payment of a claim for the cost to comply with State or community floodplain management laws or ordinances after a direct physical loss by flood. When a building covered by a Standard Flood Insurance Policy under the NFIP sustains a loss and the state or community declares the building to be substantially or repetitively damaged, ICC will help pay up to \$30,000 for the cost to elevate, floodproof, demolish, or remove the building. ICC coverage is available on residential and non-residential buildings (this category includes public or government buildings, such as schools, libraries, and municipal buildings) insured under the NFIP.

Kentucky Revised Statute 151.250 - Plans for dams, levees, etc to be approved and permit issued by cabinet (Environmental and Public Protection Cabinet)

- (1) Notwithstanding any other provision of law, no person and no city, county or other political subdivision of the state, including levee districts, drainage districts, flood control districts or systems, or similar bodies, shall commence the construction, reconstruction, relocation or improvement of any dam, embankment, levee, dike, bridge, fill or other obstruction (except those constructed by the Department of Highways) across or along any stream, or in the floodway of any stream, unless the plans and specifications for such work have been submitted by the person or political subdivision responsible for the construction, reconstruction or improvement and such plans and specifications have been approved in writing by the cabinet and a permit issued. However, the cabinet by regulation may exempt those dams, embankments or other obstructions, which are not of such size or type as to require approval by the cabinet in the interest of safety or retention of water supply.
- (2) No person, city, county, or other political subdivision of the state shall commence the filing of any area with earth, debris, or any other material, or raise the level of any area in any manner, or place a building, barrier or obstruction of any sort on any area located adjacent to a river or stream or in the floodway of the stream so that such filling, raising, or obstruction will in any way affect the flow of water in the channel or in the floodway of the stream unless plans and specifications for such work have been submitted to and approved by the cabinet and a permit issued as required in subsection (1) above.

- (3) Nothing in this section is intended to give the cabinet any jurisdiction or control over the construction, reconstruction, improvement, enlargement, maintenance or operation of any drainage district, ditch or system established for agricultural purposes, or to require approval of the same except where such obstruction of the stream or floodway is determined by the cabinet to be a detriment or hindrance to the beneficial use of water resources in the area, and the person or political subdivision in control thereof so notified. The Department for Natural Resources through KRS Chapter 350 shall have exclusive jurisdiction over KRS Chapter 151 concerning the regulation of dams, levees, embankments, dikes, bridges, fills, or other obstructions across or along any stream or in the floodway of any stream which structures are permitted under KRS Chapter 350 for surface coal mining operations.

Letter of Map Change (LOMC) - Is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMC's include the following categories:

- 1) Letter of Map Amendment (LOMA) - A revision based on technical data showing that a property was incorrectly included in a designated SFHA. A LOMA amends the current effective FIRM and establishes that a specific property is not located in a SFHA.
- 2) Letter of Map Revision (LOMR) - A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features.
- 3) Letter of Map Revision-Fill (LOMR-F) - A determination that a structure or parcel has been elevated by properly placed engineered fill above the BFE and is, therefore, excluded from the SHFA.

Levee - A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System - A flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices. For a levee system to be recognized, the following criteria must be met:

- 1) All closure devices or mechanical systems for internal drainage, whether manual or automatic, must be operated in accordance with an officially adopted operation manual (a copy of which must be provided to FEMA by the operator when levee or drainage system recognition is being sought or revised).
- 2) All operations must be under the jurisdiction of a Federal or State agency, an agency created by Federal or State law, or an agency of a community participating in the NFIP.

Limited Storage - An area used for storage and intended to be limited to incidental items which can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant material, void of utilities except for essential lighting, and cannot be temperature controlled.

Lowest Adjacent Grade - The elevation of the sidewalk, patio, deck support, or basement entryway immediately next to the structure and after the completion of construction. It does not include earth that is emplaced for aesthetic or landscape reasons around a foundation wall. It does include natural ground or properly compacted fill that comprises a component of a structure's foundation system.

Lowest Floor - The lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, structure access, or storage in an area other than a basement area is not considered a structure's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Article ordinance.

Manufactured Home - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected or attached to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property. The term "manufactured home" does not include a "recreational vehicle" (see Recreational Vehicle).

Manufactured Home Park or Subdivision - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Map - The Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Federal Emergency Management Agency (FEMA).

Map Panel Number - The four-digit number on a flood map, followed by a letter suffix, assigned by FEMA. The first four digits represent the map panel. The letter suffix represents the number of times the map panel has been revised. (The letter "A" is not used by FEMA, the letter "B" is the first revision.)

Market Value - The structure value, excluding the land (as agreed between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of structure (Actual Cash Value) or adjusted assessed values.

Mean Sea Level (MSL) - The average height of the sea for all stages of the tide. For the purposes of the National Flood Insurance Program, the MSL is used as a reference for establishing various elevations within the floodplain as shown on a community's FIRM. For purposes of this Article ordinance, the term is synonymous with either National Geodetic Vertical Datum (NGVD) 1929 or North American Vertical Datum (NAVD) 1988.

Mitigation - Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is twofold: to protect people and structures, and to minimize the costs of disaster response and recovery.

Mudslide (i.e. mudflow) - Describes a condition where there is a river, flow, or inundation of liquid mud down a hillside, usually as a result of a dual condition of loss of brush cover and the subsequent accumulation of water on the ground, preceded by a period of unusually heavy or sustained rain. A mudslide (i.e. mudflow) may occur as a distinct phenomenon while a landslide is in progress, and will be recognized as such by the

Floodplain Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

Mudslide (i.e. mudflow) Area Management - The operation of and overall program of corrective and preventative measures for reducing mudslide (i.e. mudflow) damage, including but not limited to emergency preparedness plans, mudslide control works, and floodplain management regulations.

Mudslide (i.e. mudflow) Prone Area - An area with land surfaces and slopes of unconsolidated material where the history, geology, and climate indicate a potential for mudflow.

National Flood Insurance Program (NFIP) - The federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the federal government and the private insurance industry.

National Geodetic Vertical Datum (NGVD) - As corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain. (Generally used as the vertical datum on the older FIRM's. Refer to FIRM legend panel for correct datum.)

New Construction - Structures for which the start of construction commenced on or after the effective date of Versailles-Midway-Woodford County floodplain management regulations and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of Versailles-Midway-Woodford County adopted floodplain management ordinances.

Non-Residential - Structures that are not designed for human habitation, including but is not limited to: small business concerns, churches, schools, farm structures (including grain bins and silos), pool houses, clubhouses, recreational structures, mercantile structures, agricultural and industrial structures, warehouses, and hotels or motels with normal room rentals for less than 6 months duration.

North American Vertical Datum (NAVD) - As corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain. (Generally used on the newer FIRM's and Digitally Referenced FIRM's (DFIRM's). (Refer to FIRM or DFIRM legend panel for correct datum.)

Obstruction - Includes but is not limited to any dam, wall, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, structure, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One-Hundred Year Flood (100-Year Flood) (see Base Flood) - The flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the 100-year flood. Over the life of a 30-year loan, there is a 26-percent chance of experiencing such a flood with the SFHA.

Participating Community - A community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

Pre-FIRM Construction - Construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

Post-FIRM Construction - Construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

Probation - A means of formally notifying participating NFIP communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations. During periods of probation, each insurance policy is subject to a \$50 surcharge.

Program Deficiency - A defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management standards or of the standards of 44 CFR 60.3, 60.4, 60.5, and/or 60.6.

Public Safety and Nuisance - Anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Recreational Vehicle - A vehicle that is:

- 1) Built on a single chassis;
- 2) 400 square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable to a light duty truck; and
- 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regular Program - The phase of a community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

Regulatory floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. See Base Flood.

Remedy a Violation - The process by which a community brings a structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impact of non-compliance. Reduced impact may include

protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the Zoning Ordinance or otherwise deterring future similar violations, or reducing state or federal financing exposure with regard to the structure or other development.

Repair - The reconstruction or renewal of any part of an existing structure.

Repetitive Loss - Flood-related damages sustained by a structure on two or more separate occasions during a 10-year period where the value of damages equals or exceeds an average of 50% of the current value of the structure, beginning on the date when the damage first occurred, or, four or more flood losses of \$1000.00 or more over the life of the structure, or, three or more flood losses over the life of the structure that are equal to or greater than the current value of the structure.

Riverine - Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Section 1316 - That section of the National Flood Insurance Act of 1968, as amended, which states that no new or renewal flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Sheet Flow Area - see "Area of shallow flooding".

Special Flood Hazard Area (SFHA) - That portion of the floodplain subject to inundation by the base flood and/or flood-related erosion hazards as shown on a FHBM or FIRM as Zone A, AE, A1 – A30, AH, AO, or AR.

Start of Construction (includes substantial improvement and other proposed new development) - The date a building permit is issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement is within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; the installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the structure.

Structure - A walled and roofed building that is principally above ground; including manufactured homes, gas or liquid storage tanks, or other man-made facilities or infrastructures. See Building.

Subdivision - Any division, for the purposes of sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, of any tract or parcel of land into two (2) or more lots or parcels.

Subrogation - An action brought by FEMA to recover insurance money paid out where all or part of the damage can be attributed to acts or omissions by a community or other third party.

Substantial Damage – Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. For the purposes of this definition, “repair” is considered to occur when the first repair or reconstruction of any wall, ceiling, floor, or other structural part of the building commences. The term does not apply to:

- a) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b) Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

Substantial Improvement - Means any combination of reconstruction, alteration, or improvement to a building, taking place during a 1-year period in which the cumulative percentage of improvement equals or exceeds fifty percent of ~~the current market value of the building~~ the market value of the building before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. For the purposes of this definition, an improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not apply to:

- a) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b) Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” Or
- ~~c) Any building that has been damaged from any source or is categorized as repetitive loss.~~

Substantially Improved Existing Manufactured Home Parks or Subdivisions - Repair, reconstruction, rehabilitation, or improvement of the streets, utilities, and pads equaling or exceeding 50 percent of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.

Suspension - Removal of a participating community from the NFIP for failure to enact and/or enforce floodplain management regulations required for participation in the NFIP. New or renewal flood insurance policies are no longer available in suspended communities.

Utilities - Includes electrical, heating, ventilation, plumbing, and air conditioning equipment.

Variance - Relief from some or all of the requirements of this Article ordinance ordinance.

Violation - Failure of a structure or other development to fully comply with this Article ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Article ordinance is presumed to be in violation until such time as that documentation is provided.

Watercourse - A lake, river, creek, stream, wash, channel or other topographic feature on or over which water flows at least periodically.

Water Surface Elevation - The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Watershed - All the area within a geographic boundary from which water, sediments, dissolved materials, and other transportable materials drain or are carried by water to a common outlet, such as a point on a larger stream, lake, or underlying aquifer.

X Zone - The area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2-percent probability of being equaled or exceeded (the 500-year flood) in any year. Unshaded X zones (C zones on older FIRMS) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

Zone - A geographical area shown on a Flood Hazard Boundary Map or a Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

1002 ARTICLE 3 General Provisions

1002.1 ~~Section A~~ Lands to Which This Article Ordinance Applies - This Article ordinance shall apply to all Special Flood Hazard Areas (SFHA), areas applicable to KRS 151.250 and, as determined by the Floodplain Administrator or other delegated, designated, or qualified community official as determined by the Councils of the City of Versailles and the City of Midway, and the Fiscal Court of Woodford County, from available technical studies, historical information, and other available and reliable sources, areas within the jurisdiction of the City of Versailles, City of Midway, and Woodford County, Kentucky, which may be subject to periodic inundation by floodwaters that can adversely affect the public health, safety, and general welfare of the citizens of Versailles, Midway and Woodford County.

1002.2 ~~Section B~~ Basis for Establishing the Special Flood Hazard Areas - The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Studies Study (FIS) for Woodford County, dated August 2, 2011 and December 21, 2017, with the accompanying Flood Insurance Rate Maps (FIRMS), other supporting data and any subsequent amendments thereto, are hereby adopted by reference and declared to be a part of these regulations by the Planning Commission, Councils of the City of Versailles and

the City of Midway, and the Fiscal Court of Woodford County, and for those land areas acquired by them through annexation. This FIS and attendant mapping is the minimum area of applicability of this Article ordinance and may be supplemented by studies for other areas which allow implementation of this Article ordinance and which are recommended to the City Councils and Fiscal Court by the Floodplain Administrator and are enacted by City Councils and Fiscal Court pursuant to statutes governing land use management regulations. The FIS and/or FIRM are permanent records of City Councils and Fiscal Court and are on file and available for review by the public during regular business hours at the Woodford County Courthouse at 103 South Main Street, Versailles, KY.

1002.3 ~~Section C~~ Establishment of Development Permit - A Development Permit shall be required in conformance with the provision of this Article ordinance prior to the commencement of any development activities in the special flood hazard areas (SFHA). See Section 1003.2 Article 4, Section B for instructions and explanation. Application for a development permit shall be made on forms furnished by the Floodplain Administrator.

1002.4 ~~Section D~~ Compliance - No structure or land shall hereafter be constructed, located, extended, converted or structurally altered without full compliance with the terms of this Article ordinance and other applicable state regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein shall prevent the Planning Commission, City Councils and Fiscal Court from taking such lawful action as is necessary to prevent or remedy any violation.

1002.5 ~~Section E~~ Abrogation and Greater Restrictions - This Article ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Article ordinance and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

1002.6 ~~Section F~~ Interpretation - In the interpretation and application of this Article ordinance, all provisions shall be:

- A. A) Considered minimum requirements;
- B. B) Liberally construed in favor of the governing body; and,
- C. C) Deemed neither to limit nor repeal any other powers granted under state statutes.

1002.7 ~~Section G~~ Warning and Disclaimer of Liability - The degree of flood protection required by this Article ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Article ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This Article ordinance shall not create liability on the part of the Planning Commission, Councils of the City of Versailles and the City of

Midway, and the Fiscal Court of Woodford County, Kentucky, any officer or employee, the Commonwealth of Kentucky, the Federal Insurance Administration, or the Federal Emergency Management Agency, thereof for any flood damages that result from reliance on this Article ordinance or any administrative decision lawfully made hereunder.

1002.8 Section H Enforcement, Violation Notice and Penalties

1) ~~Civil Offense: If, at any time, development occurs which is not in accordance with the provisions of this ordinance including obtaining or complying with the terms and conditions of a floodplain construction permit and any approved modifications, such development shall constitute a civil offense, remedy for which may be sought in Woodford Circuit Court, including payment of all costs and expenses involved in the case.~~

2) Notice of Violation: If, at any time, a duly authorized employee or agent of the Floodplain Administrator has reasonable cause to believe that a person has caused development to occur which is not in accordance with the provisions of this ordinance including obtaining or complying with the terms and conditions of a floodplain construction permit and any approved modifications thereof, a duly authorized employee of the Floodplain Administrator shall issue a notice to the person responsible for the violation and/or the property owner, stating the facts of the offense or violation, the section of this Article ordinance and/or of the permit violated, when it occurred, how the violation is to be remedied to bring the development into conformity with this Article ordinance or with the approved permit, and within what period of time the remedy is to occur, which period of time shall be reasonable and shall be determined by the nature of the violation and whether or not it creates a nuisance or hazard. The remedy may include an order to stop work on the development or other Penalties and Violations as outlined in Article III, Section 301. ~~The notice shall also state that a citation may be forthcoming in the event that the requested remedies and corrective actions are not taken, which citation will request a civil monetary fine and shall state the maximum fine which could be imposed. See below.~~

3) Notice of Citation: ~~If, at any time, a duly authorized employee or agent of the Floodplain Administrator has reasonable cause to believe that a person has caused development to occur which is not in accordance with the provisions of this ordinance including obtaining or complying with the terms and conditions of a floodplain construction permit and any approved modifications thereof, a duly authorized employee of the Floodplain Administrator may issue a citation to the offender stating the violation, prior notices of violation issued, how the violation is to be remedied to bring the development into conformity with this ordinance or with the approved permit, and within what period of time the remedy is to occur, and what penalty or penalties are recommended. When a citation is issued, the person to whom the citation is issued shall respond to the citation within seven (7) days of the date the citation is issued by either carrying out the remedies and corrections set forth in the citation, paying the civil fine set forth in the citation or requesting a hearing before the governing body. If the person to whom the citation is issued does not respond to the citation within seven (7) days, that person shall be deemed to have waived the right to a hearing and the determination that a violation occurred~~

~~shall be considered final.~~

~~4) Penalties: Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with granting of a variance or special exceptions, in addition to serving as the basis for civil relief shall also constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined no less than \$100.00 or imprisoned for not more than 30 days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful action as is necessary to prevent or remedy any violation.~~

1003 ARTICLE 4 Administration

1003.1 ~~Section A~~ Designation of Local Administrator - The Councils of the City of Versailles and the City of Midway, and the Fiscal Court of Woodford County, hereby appoint the Planning Director to administer, implement, and enforce the provisions of this Article ordinance by granting or denying development permits in accordance with its provisions, and is herein referred to as the Floodplain Administrator.

1003.2 Establishment of Development Permit

~~Section B~~ A development permit shall be obtained before any construction or other development begins within any special flood hazard area established in Section 1002.2 Article 3, Section B. Application for a Development Permit shall be made on forms furnished by Floodplain Administrator prior to any development activities, and may include, but not be limited to, the following: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Endorsement of local administrator is required before a state floodplain construction permit can be processed. Specifically, the following information is required.

A. 4) Application Stage

1. a) Proposed elevation in relation to Mean Sea Level (MSL) of the proposed lowest floor (including basement) of all structures in Zone A and elevation of highest adjacent grade; or
2. b) Proposed elevation in relation to Mean Sea Level to which any non-residential structure will be flood-proofed;
3. c) All appropriate certifications from a registered professional engineer or architect that the non-residential flood-proofed structure will meet the flood-proofing criteria in Section 1004.2.B and Section 1004.4.B Article 5, Section B (2) and Section D (2);
4. d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

B. 2) Construction Stage

Upon placement of the lowest floor, and before construction continues, or flood proofing by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain Administrator and to the State a certification of the elevation of the lowest floor or flood-proofed elevation, as built, in relation to Mean Sea Level. In AE, A1-30, AH, and A zones where the Community has adopted a regulatory Base Flood Elevation, said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same.

When flood proofing is utilized for a particular structure, said certification shall be prepared by or under the direct supervision of a certified professional engineer or architect. Any continued work undertaken prior to the submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the lowest floor and flood proofing elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

1003.3 ~~Section C~~ Duties and Responsibilities of The Local Administrator - The Floodplain Administrator and/or staff is hereby appointed, authorized and directed to administer, implement and enforce the provisions of this Article ordinance. The Floodplain Administrator is further authorized to render interpretations of this Article ordinance, which are consistent with its spirit and purpose by granting or denying development permits in accordance with its provisions. The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

A. 4) Permit Review: Review all development permits to ensure that:

1. a) Permit requirements of this ordinance have been satisfied;
2. b) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendment for 1972, 33 U.S.C. 1334.
3. c) Flood damages will be reduced in the best possible manner;
4. d) The proposed development does not adversely affect the carrying capacity of affected watercourses. For purposes of this Article ordinance, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot at any point.

B. 2) Review and Use of Any Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 1002.2 Article 3, Section B, the Floodplain Administrator shall obtain, review, and

reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Section 1004 Article 5. Any such information shall be submitted to the City Council for adoption.

C. 3) Notification of Other Agencies:

1. a) Notify adjacent communities, the Kentucky Division of Water, and any other federal and/or state agencies with statutory or regulatory authority prior to any alteration or relocation of the watercourse, and
2. b) Submit evidence of such notification to the Federal Insurance Administration, Federal Emergency Management Agency (FEMA); and
3. c) Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

D. 4) Documentation of Floodplain Development. Obtain and maintain for public inspection and make available as needed the following:

1. a) Certification required by Section 1004.2.A Article 5, Section B (1) (lowest floor elevations) as shown on a completed and certified Elevation Certificate. Verify and record the actual elevation (in relation to Mean Sea Level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Article 4, Section B (2);
2. b) Certification required by Section 1004.2.B Article 5, Section B (2) (elevation or floodproofing of nonresidential structures) as shown on a completed and certified floodproofing certificate. Verify and record the actual elevation (in relation to Mean Sea Level) to which the new or substantially improved structures have been flood-proofed, in accordance with Section 1003.2.B Article 4, Section B (2);
3. c) Certification required by Section 1004.2.C Article 5, Section B (3) (elevated structures),
4. d) Certification of elevation required by Section 1004.5.A Article 5, Section E (1) (subdivision standards),
5. e) Certification required by Section 1004.2.E Article 5, Section B (5) (floodway encroachments),
6. f) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
7. g) Review certified plans and specifications for compliance;
8. h) Remedial Action. Take action to remedy violations of this Article ordinance as specified in Section 1002.8 Article 3, Section H.

E. 5) Map Determinations. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas, for example, where there appears to be a conflict between a mapped boundary and actual field conditions.

1. a) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears

to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1005.3.B Article 6, Section (3) b;

2. ~~b)~~ When base flood elevation data or floodway data have not been provided in accordance with Section 1002.2 Article 3, Section B, then the Floodplain Administrator shall obtain, review, and reasonable utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer the provisions of Section 1004 Article 5;
3. ~~e)~~ When flood-proofing is utilized for a particular structure, the Floodplain Administrator shall obtain certification from a registered professional engineer or architect, in accordance with Section 1004.2.B Article 5, Section B (2) a floodproofing certificate;
4. ~~d)~~ All records pertaining to the provisions of this Article ordinance shall be maintained in the office of the Floodplain Administrator and shall be open for public inspection.

F. ~~6)~~ Right of Entry

1. ~~a)~~ Whenever necessary to make an inspection to enforce any of the provisions of this Article ordinance, or whenever the administrator has reasonable cause to believe that there exists in any structure or upon any premises any condition or ordinance violation which makes such building, structure or premises unsafe, dangerous or hazardous, the administrator may enter such building, structure or premises at all reasonable times to inspect the same or perform any duty imposed upon the administrator by this Article ordinance.
2. ~~b)~~ If such structure or premises are occupied, he/she shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such request entry.
3. ~~e)~~ If entry is refused, the administrator shall have recourse to every remedy provided by law to secure entry.
4. ~~d)~~ When the administrator shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the administrator for the purpose of inspection and examination pursuant to this Article ordinance.

G. ~~7)~~ Stop Work Orders

~~a)~~ Upon notice from the administrator, work on any building, structure or premises that is being done contrary to the provisions of this Article ordinance shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person

doing the work, and shall state the conditions under which work may be resumed.

H. 8) Revocation of Permits

1. a) The administrator may revoke a permit or approval, issued under the provisions of this Article ordinance, in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
2. b) The administrator may revoke a permit upon determination by the administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this Article ordinance.

I. 9) Liability

a) Any officer, employee, or member of the floodplain administrator's staff, charged with the enforcement of this Article ordinance, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer, employee, or member because of such act performed by him or her in the enforcement of any provision of this Article ordinance shall be defended by the department of law until the final termination of the proceedings.

J. 10) Expiration of Floodplain Construction Permit

a) A floodplain construction permit, and all provisions contained therein, shall expire if the holder of a floodplain construction permit has not commenced construction within one hundred and eighty (180) calendar days from the date of its issuance by the Floodplain Administrator.

1004 ARTICLE 5 Provisions for Flood Hazard Reduction

1004.1 ~~Section A~~ General Construction Standards - In all Special Flood Hazard Areas the following provisions are required:

- A. 4) All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- B. 2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or fane ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

- C. 3) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- D. 4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- E. 5) Electrical, heating, ventilation, plumbing, air condition equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and if
- F. 6) Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- G. 7) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- H. 8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- I. 9) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and,
- J. 10) Any alteration, repair, reconstruction, or improvements to a structure, which is not in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this Article ordinance;
- K. 11) Any alteration, repair, reconstruction, or improvements to a structure, which is not in compliance with the provisions of this Article ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.

1004.2 ~~Section B~~ Specific Standards - In all special flood hazard areas where base flood elevation data have been provided, as set forth in Section 1002.2 Article 3, ~~Section B~~, the following provisions are required:

- A. 1) Residential Construction. New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor, including basement, mechanical equipment, and ductwork elevated no lower than 1 foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 1004.2.C Article 5, ~~Section B (3)~~.

1. a) In an AO zone, elevated above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least two feet above the highest adjacent grade if no depth number is specified.
2. b) In an A zone, where no technical data has been produced by the Federal Emergency Management Agency, elevated 1 foot above the base flood elevation, as determined by this community. The Floodplain Administrator will determine the method by which base flood elevations are determined. Methods include but are not limited to detailed hydrologic and hydraulic analyses, use of existing data available from other sources, use of historical data, best supportable and reasonable judgment in the event no data can be produced. Title 401 KAR (Kentucky Administrative Regulations) Chapter 4, Regulation 060, states as a part of the technical requirements for a State Floodplain Permit: The applicant shall provide cross sections for determining floodway boundaries (and thereby Base Flood Elevations) at any proposed construction site where FEMA maps are not available. All cross sections shall be referenced to mean sea level and shall have vertical error tolerances of no more than + five-tenths (0.5) foot. Cross sections elevations shall be taken at those points which represent significant breaks in slope and at points where hydraulic characteristics of the base floodplain change. Each cross section shall extend across the entire base floodplain and shall be in the number and at the locations specified by the cabinet. If necessary to ensure that significant flood damage will not occur, the cabinet may require additional cross sections or specific site elevations which extend beyond those needed for making routine regulatory floodway boundary calculations.
3. c) In all other Zones, elevated 1 foot above the base flood elevation. Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor and verified by the community building inspection department to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

B. 2) Non-residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes used for non-residential purposes) shall be elevated to conform with Section 1004.2.A Article 5, Section B (1) or together with attendant utility and sanitary facilities:

1. a) Be flood proofed below an elevation 1 foot above the level of the base flood elevation so that the structure is watertight with walls substantially impermeable to the passage of water;
2. b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
3. c) Have the lowest floor, including basement, mechanical equipment, and ductwork, elevated no lower than 1 foot above the level of the base flood elevation, or;

4. d) A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 1003.2.A.3 Article 4, Section B (1) c.
5. e) Manufactured homes shall meet the standards in Section 1004.2.D Article 5, Section B (4).
6. f) All new construction and substantial improvement with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be constructed of flood resistant materials below an elevation 1 foot above the base flood elevation, and, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Opening sizes (FEMA Technical Bulletin 1-93) for meeting this requirement must meet or exceed the following minimum criteria:
 - a. (i) Be certified by a registered professional engineer or architect; or
 - b. (ii) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

C. 3) Elevated Structures. New construction or substantial improvements of elevated structures on columns, posts, or pilings (e.g.) that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

1. a) Opening sizes for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - a. (i) Provide a minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - b. (ii) The bottom of all openings shall be no higher than one foot above foundation interior grade (which must be equal to in elevation or higher than the exterior foundation grade); and,
 - c. (iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
2. b) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of

maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and,

3. e) The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms.

D. 4) Standards for Manufactured Homes and Recreational Vehicles.

1. a) All new or substantially improved manufactured homes placed on sites located within A, A1-30, AO, AH, and AE on the community's Flood Insurance Rate Map (FIRM) must meet all the requirements for new construction, including elevation and anchoring. Locations include:

- a. On individual lots or parcels,
- b. In expansions to existing manufactured home parks or subdivisions,
- c. In new manufactured home parks or subdivisions or
- d. In substantially improved manufactured home parks or subdivisions, or
- e. Outside of a manufactured home park or subdivision,
- f. In an existing manufactured home park or subdivision on a site upon which a manufactured home has incurred "substantial damage" as the result of a flood,
- g. All Manufactured homes must be: (i) Elevated on a permanent foundation, and; (ii) Have its lowest floor elevated no lower than 1 foot above the level of the base flood elevation, and; (iii) Be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

2. b) Except manufactured homes that have incurred substantial damage as a result of a flood, all manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:

- a. (i) The manufactured home is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement, so that either the:
- b. (ii) The lowest floor of the manufactured home is elevated no lower than 1 foot above the level of the base flood elevation, or
- c. (iii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above the highest adjacent grade.

3. e) All recreational vehicles placed on sites located within A, A1-30, AO, AH, and AE on the community's Flood Insurance Rate Map (FIRM) must:

- a. (i) Be on the site for fewer than 180 consecutive days, and
- b. (ii) Be fully licensed and ready for highway use.
- c. A recreational vehicle is ready for highway use if it is licensed and insured in accordance with the State of Kentucky motor vehicle regulations, is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

E. 5) Floodways - Located within areas of special flood hazard established in Section 1002.2 Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and has erosion potential, the following provisions shall apply:

- 1. a) Prohibit encroachments, including fill, new construction, substantial improvements, and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in the base flood elevation levels during occurrence of base flood discharge;
- 2. b) If Section 1004.2.E Article 5, Section B (5) is satisfied, all new construction and substantial improvements and other proposed new development shall comply with all applicable flood hazard reduction provisions of Section 1004 Article 5.

1004.3 ~~Section C~~ Standards for Streams Without Established Base Flood Elevation (Unnumbered A Zones) and/or Floodways - Located within the special flood hazard areas established in Section 1002.2 Article 3, Section B, where streams exist but where no base flood data has been provided or where base flood data has been provided without floodways, the following provisions apply:

- A. 4) No encroachments, including fill material or structures shall be located within special flood hazard areas, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
- B. 2) New construction or substantial improvements of structures shall be elevated or flood proofed to elevations established in accordance with Section 1002.2 Article 3, Section B.

1004.4 ~~Section D~~ Standards for Shallow Flooding Zones - Located within the special flood hazard areas established in Section 1002.2 Article 3, Section B, are areas designated as shallow flooding areas. These areas have flood hazards associated with base flood depths of one to three feet (1 – 3'), where a clearly defined channel

does not exist and the water path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

- A. All new construction and substantial improvements of residential structures shall:
 - 1. a) Have the lowest floor, including basement, elevated to or above either the base flood elevation or in Zone AO the flood depth specified on the Flood Insurance Rate Map above the highest adjacent grade. In Zone AO, if no flood depth is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet above the highest adjacent grade.
- B. All new construction and substantial improvements of non-residential structures shall:
 - 1. a) Have the lowest floor, including basement, elevated to or above either the base flood elevation or in Zone AO the flood depth specified on the Flood Insurance Rate Map, above the highest adjacent grade. In Zone AO, if no flood depth is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet above the highest adjacent grade.
 - 2. b) Together with attendant utility and sanitary facilities be completely flood proofed either to the base flood elevation or above or, in Zone AO, to or above the specified flood depth plus a minimum of one foot so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required as stated in Section 1004.2.B Article 5, Section B (2).

1004.5 Section E Standards for Subdivision Proposals

- A. All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood and be consistent with the need to minimize flood damage;
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and,
- D. In areas where base flood elevation and floodway data is not available (Zone A or unmapped streams), base flood elevation and floodway data for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall be provided.

- E. All subdivision plans will include the elevation of proposed structure(s) and lowest adjacent grade. If the site is filled above the base flood elevation, the lowest floor and lowest adjacent grade elevations shall be certified by a registered professional engineer or surveyor and provided to the Floodplain Administrator.

1004.6 ~~Section F~~ Standards for Accessory Structures in All Zones Beginning With The Letter 'A'

For all accessory structures in special flood hazard areas designated 'A' the following provisions shall apply:

- A. 4) Structure must be non-habitable;
- B. 2) Must be anchored to resist floatation forces;
- C. 3) Will require flood openings/vents no more than one foot above grade, total openings are to be one square inch per one square foot of floor area, at least two openings required on opposite walls;
- D. 4) Built of flood resistant materials below a level 1 foot above the base flood elevation;
- E. 5) Must elevate utilities above the base flood elevation;
- F. 6) Can only be used for storage or parking;
- G. 7) Cannot be modified for a different use after permitting.

1004.7 ~~Section G~~ Critical Facilities - Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall not be permissible within the floodway; however, they may be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated one foot or more above the level of the base flood elevation at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

1005 ~~ARTICLE 6~~ Appeals and Variance Procedures

1005.1 4) Nature of Variances - The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property

owners.

It is the duty of the Councils of the City of Versailles, the City of Midway, and the Fiscal Court of Woodford County City-Council to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level is so serious that variances from the flood elevation or from other requirements in the flood Article ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

1005.2 2) Designation of variance and appeal board – a) The Councils of the City of Versailles, the City of Midway and the Fiscal Court of Woodford County shall establish an Appeal Board consisting of the Board of Adjustments.

1005.3 3) Duties of variance and Board of Adjustments (Appeal Board)

- A. a) The Board of Adjustments (Appeal Board) shall hear and decide requests for variances from the requirements of this Article ordinance and appeals of decisions or determinations made by the Floodplain Administrator in the enforcement or administration of this Article ordinance.
- B. b) Any person aggrieved by the decision of the Board of Adjustments (Appeal Board) or any taxpayer may appeal such decision to the local Circuit Court, as provided in Kentucky Revised Statutes.

1005.4 4) Appeals/Variance Procedures

In passing upon such applications, the Board of Adjustments (Appeal Board) shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and the:

- A. a) Danger that materials may be swept onto other lands to the injury of others;
- B. b) Danger to life and property due to flooding or erosion damage;
- C. c) Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
- D. d) Importance to the community of the services provided by the proposed facility;
- E. e) Necessity that the facility be located on a waterfront, in the case of functionally dependent facility;

- F. f) Availability of alternative locations which are not subject to flooding or erosion damage;
- G. g) Compatibility of the proposed use with existing and anticipated development;
- H. h) Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- I. i) Safety of access to the property in times of flood for ordinary and emergency vehicles;
- J. j) Expected height, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
- K. k) Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, streets, and bridges.

1005.5 5) Conditions for Variances - Upon consideration of the factors listed above and the purposes of this Article ordinance, the Board of Adjustments (Appeal Board) may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Article ordinance.

- A. a) Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
- B. b) Variances shall only be issued upon a determination that the variance is the "minimum necessary" to afford relief considering the flood hazard. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ordinance. For example, in the case of variances to an elevation requirement, this means the City Council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the City Council believes will both provide relief and preserve the integrity of the local ordinance.
 - 1. (i) Variances shall only be issued upon a determination that the variance is the "minimum necessary" to afford relief considering the flood hazard. In the instance of an historical structure, a determination shall be made that the variance is the minimum necessary to afford relief and not destroy the historic character and design of the structure.
- C. c) Variances shall only be issued upon:
 - 1. (i) A showing of good and sufficient cause;
 - 2. (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant (as defined in this ordinance); and

3. (iii) A determination that the granting of a variance will not result in increased flood height, additional threats to public safety, cause extraordinary public expense, create nuisance (as defined in the definition section under "Public safety and nuisance"), cause fraud or victimization of the public (as defined in the definition section) or conflict with existing local laws or ordinances.

D. d) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

E. e) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) and the Federal Insurance Administration (FIA) upon request.

F. f) Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Section 1005.4 (A-K) Article 6, 4 (a—k) are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

1005.6-6) Variance Notification - Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

A. a) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and;

B. b) Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Woodford County Clerk and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

C. c) The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

1005.7 7) Historic Structures - Variances may be issued for the repair or rehabilitation of "historic structures" (see definition) upon determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

1005.8 8) No Impact Certification within the Floodway - Variances shall not be issued within any mapped or designated floodway if any increase in flood levels during the base flood discharge would result.

ARTICLE 7 ~~Severability~~

~~This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.~~

~~If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared~~

Section 2. Conflict with Other Regulations. In the event that the provisions of this Amendment are inconsistent with another or if the provisions of the Zoning Ordinance or Zoning Map conflict with the provisions found in other adopted ordinances, the more restrictive shall control.

Section 3. Conflict with Private Deeds. It is not the intent of this Amendment to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. When the provisions of this Amendment impose a greater restriction than imposed by such private agreement, the provisions of this Ordinance shall control.

Section 4. Violations Continue. Any violation of the Zoning Regulations in effect before the effective date shall continue to be a violation under the Zoning Ordinance and shall be subject to the penalties and enforcement under KRS 65.8801 through 65.8840 or KRS 100.991, unless the use, development, construction or other activity is clearly consistent with the express terms of the Zoning Ordinance.

Section 5. Severability. If a court declares the provisions of this Amendment in any part to be invalid, that ruling shall not affect the validity of the remainder of this Ordinance.

Section 6. Effective Date. This ordinance shall become effective after passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the day of October 15, 2025, and fully adopted after the second reading at a meeting of said council held on the day of November 4, 2025.

APPROVED:

LAURA DAKE, MAYOR

ATTEST:

ELIZABETH REYNOLDS, CITY CLERK



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Description	Quantity	Unit Price	Cost
Technomad 684 Vernal Speaker (Black)	22	\$523.02	\$11,506.44
Technomad 2201 Double Vernal Mount, Wall/pole	11	\$178.41	\$1,962.51
Technomad 2157 Output Cable, PowerChiton to 2 Vernal	11	\$43.95	\$483.45
Technomad 1340 PowerChitonMicro Amplifier, 2 channel verion	11	\$1,237.04	\$13,607.39
Technomad 1795 PowerChiton Ethernet with PoE Receiver module	11	\$903.27	\$9,935.97
Technomad 1245 PowerChiton Ethernet Transmitter module	2	\$1,268.28	\$2,536.56
Technomad 1769 Pole Mount, PowerChiton module	11	\$313.32	\$3,446.52
Allen & Heath AHM-16 Mixer	1	\$1,586.59	\$1,586.59
Danley OS12CX Speaker	4	\$2,295.00	\$9,180.00
Linea LR-4406M Install Amplifier	1	\$5,512.50	\$5,512.50
Adaptive Technologies Group SAS-200-24-G Steerables Outdoor Wall Arm Speaker Mount	4	\$334.62	\$1,338.48
Lowell LWR-2123 Wall Mount Rack	1	\$1,134.72	\$1,134.72
Lowell LFD-21FV Vented Locking Door	1	\$360.44	\$360.44
Furman CN-1800s Power Conditioner/Sequencer w/ Key	1	\$706.72	\$706.72
Shure QLXD2/SM58=G50 Handheld Transmitter	1	\$448.64	\$448.64
Shure QLXD4=G50 Half Rack Receiver	1	\$719.27	\$719.27
Shure SBC200-US Dual Charger Dock with Power Supply	1	\$262.60	\$262.60
Shure SB900B Rechargeable Battery	1	\$114.40	\$114.40
RF VENUE CP-Stage Outdoor Antenna	2	\$340.60	\$681.20
Ubiquiti UDM Pro Max	1	\$599.00	\$599.00
Ubiquiti Pro-Max 24 PoE Switch	2	\$799.00	\$1,598.00
Ubiquiti U7 Pro Outdoor	14	\$279.00	\$3,906.00
RTI XP-8V Advanced XP Central Processor	1	\$2,221.50	\$2,221.50
RTI IST-10-W - 10" Intelligent Touchpanel Wall	1	\$1,410.00	\$1,410.00
Bluesound B100S Media Player	1	\$575.20	\$575.20
Bluesound RM100 Rack Kit	1	\$114.99	\$114.99
Outdoor Connection for DJ.Host hookups (includes outdoor box and plates)	1	\$325.00	\$325.00

Description	Quantity	Unit Price	Cost
FREE 1 Year Service Contract (20 hours). Annual service contract STRONGLY recommended after first free year.	1	\$3,000.00	FREE
Installation, hardware, setup, training and travel. Includes 65' lift rental.	1	\$28,500.00	\$28,500.00
TOTAL:			\$104,774.08
SHIPPING:			TBD

In light of the changing tariff environment, our pricing may be subject to change. We are actively monitoring the situation and will work with you to provide the best pricing we can offer. Any necessary adjustments, whether made before or after acceptance of an order, will be communicated promptly. Quoted prices are based on current pricing. Prices quoted are exclusive of shipping costs, tariffs or duties now in force or hereafter in effect.