

ORDINANCE NO. BG2017- 58

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2
(ADMINISTRATION) OF THE CITY OF BOWLING
GREEN CODE OF ORDINANCES TO REPEAL
'CONCEALED CARRY REQUIREMENTS FOR CITY
FACILITIES AND LANGUAGE ESTABLISHING
MAXIMUM HOURLY RATES FOR OUTSIDE
LEGAL SERVICES

WHEREAS, current language in the City of Bowling Green Code of Ordinances prohibits the carrying of concealed weapons in designated City owned, leased or controlled buildings; and,

WHEREAS, persons with concealed carry licenses have received training on the care and use of weapons; and,

WHEREAS, the City is unable to prohibit the open carry of weapons in City owned, leased or controlled buildings; and,

WHEREAS, given the conflicting abilities of the City regarding the carrying of weapons in City buildings, it is in the best interests of the City to rescind the prohibition regarding the carrying of concealed weapons in City buildings; and,

WHEREAS, current language in the Code of Ordinances also establishes rates for outside legal services and requires the Board of Commissioners' approval to exceed those rates; and,

WHEREAS, it is in the best interests of the City to remove that restriction and to authorize the City Attorney in cooperation with the City Manager to negotiate rates for outside legal services.

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

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

2-1 GENERAL PROVISIONS.

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[2-1.08 — Concealed Deadly Weapons.]

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~~[a. No person, including employees of the City of Bowling Green, shall carry a concealed deadly weapon into or on any building or portion of any building owned, leased or controlled by the City of Bowling Green.]~~

~~[b. The prohibition in Subsection a. shall not apply to the following:~~

~~1. Buildings or portions of buildings owned, leased or controlled by the City of Bowling Green which are used for public housing by private persons, highway rest areas, firing ranges and private dwellings; and,~~

~~2. Sworn police officers of the City of Bowling Green Police Department and other law enforcement officers authorized to carry concealed deadly weapons pursuant to KRS 527.020.]~~

~~[c. The City Manager shall have posted at the entrances to all City owned, leased or controlled buildings or portions of buildings signs prohibiting the carrying of concealed deadly weapons in those buildings.]~~

~~[d. Any person violating this Section shall be denied entrance into the building or portion of the building and shall be ordered to leave the building. Any City employee violating this Section shall be subject to disciplinary measures up to and including dismissal from employment.]~~

2-1.08[9] Residency Requirements for Appointment of Board and Commission Members;
Prohibition of Hold-Over Services.

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2-1.[1]09 Use of Eminent Domain.

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2-9 DEPARTMENT OF LAW.

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2-9.02 Qualifications; Duties.

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c. The City Attorney shall:

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6. Approve title to all real estate purchased by the City; [and,]

7. Retain counsel and negotiate hourly rates with approval from the City Manager when a need occurs for the services of an attorney not associated with the City's Law Department, such as a need for specialized legal services or when a conflict of interest develops with the City's Law Department; and,

8[7]. Perform all other legal services that he may be called upon to perform in the proper conduct of the legal affairs of the City.

~~[2-9.03 — Maximum Hourly Rates for Non-City Attorney Services.]~~

~~[When a need occurs for the services of an attorney not associated with the City's Law Department, such as a need for specialized legal services or when a conflict of interest develops with the City's Law Department, the maximum rates of one hundred thirty-five (\$135.00) dollars for partners, one hundred twenty-five (\$125.00) dollars per hour for associates and sixty-five (\$65.00) dollars per hour for paralegals are hereby established for such legal services. These maximum rates shall apply at all times when the legal services are paid from City funds. The maximum rate may be exceeded only with approval of the Board of Commissioners.]~~

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

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on December 19, 2017, and given final reading on January 2, 2018,

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and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: January 2, 2018

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Silhalu Ward
City Clerk

SPONSORED BY: Bruce Wilkerson, Mayor, 12/11/2017, 11:10 a.m.