

**CITY OF MIDWAY, KY
ORDINANCE NO. 2024 -006**

**TITLE: AN ORDINANCE AMENDING ARTICLES III, IV, V AND IX OF THE ZONING
ORDINANCE FOR THE CITY OF MIDWAY, KENTUCKY.**

WHEREAS, the Cities of Midway, Versailles and the County of Woodford, Kentucky, have in the past 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, prescribe, regulate, restrict and limit for the purpose of promoting public health, safety, or general welfare of the community, regulations, including restrictions of height, number of stories, size of buildings and other structures, size of yards, courts and open space, the density of population, the location and use of such buildings and structure and land for trade, industry, residence or other purpose; and,

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


NOW, THEREFORE, BE IT ORDAINED by the City Council of Midway,
Commonwealth of Kentucky, as follows:

1. That Articles III, IV, V and IX of the Zoning Ordinance, titled, **Midway Zoning Ordinance**, is hereby amended, approved and re-adopted as if copied in full (attached). This amendment repeals prior Articles III, IV, V and IX (attached).
2. **Applicability** - The provisions of this Amendment shall apply within the incorporated city limits of Midway, Commonwealth of Kentucky.
3. **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.
4. **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.
5. **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.
6. **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.

7. **Effective Date** - Unless otherwise specifically stated, the provisions of this Ordinance Amendment shall become effective on upon passage of this Ordinance and shall be in full force and effect upon publication in summary pursuant to KRS 424 and KRS 83A.

This Ordinance was introduced and given first reading at a meeting of the City Council of the City of Midway, Kentucky, held on the 3rd day of September, 2024, and fully adopted after the second reading at a meeting of said council held on the 16th day of September, 2024.

ADOPTED: September 16th, 2024

ATTEST: 
City Clerk, City of Midway

APPROVED: 
Mayor, City of Midway