



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #: 1266-21 **Version:** 1 **Name:** Walk on - KU Litigation Tree Clear Cutting
Type: Resolution **Status:** Approved
File created: 11/30/2021 **In control:** Urban County Council
On agenda: 12/2/2021 **Final action:** 12/2/2021
Enactment date: 12/2/2021 **Enactment #:** R-680-2021

Title: A Resolution authorizing and directing the Dept. of Law, on behalf of the Urban County Government, to file any necessary legal actions related to Ky. Utilities Co.'s clear-cutting and removal of trees in Lexington-Fayette County. [Council Office, Maynard]

Sponsors:

Indexes:

Code sections:

Attachments: 1. 00744285.pdf, 2. R-680-2021

Date	Ver.	Action By	Action	Result
12/2/2021	1	Urban County Council	Received First Reading	
12/2/2021	1	Urban County Council	Suspended Rules for Second Reading	Pass
12/2/2021	1	Urban County Council	Approved	Pass
11/30/2021	1	Urban County Council Work Session		

A Resolution authorizing and directing the Dept. of Law, on behalf of the Urban County Government, to file any necessary legal actions related to Ky. Utilities Co.'s clear-cutting and removal of trees in Lexington-Fayette County. [Council Office, Maynard]

WHEREAS, Kentucky Utilities Company has implemented a policy for clear-cutting trees under and around transmission lines in Lexington-Fayette County that has detrimentally impacted multiple Council Districts and neighborhoods throughout Lexington-Fayette County; and

WHEREAS, the Urban County Council understands that safety and reliability in providing electric service are important concerns but believes that the current policy in its application is unreasonable in that it simply utilizes the most damaging and least discretionary means possible for addressing the issue of tree growth in and around utility easements; and

WHEREAS, the Lexington-Fayette Urban County Government and the public have an interest in this matter given the significant health and quality of life benefits that mature trees provide to the community and the damaging impact

that wide scale tree cutting will cause; and

WHEREAS, the Lexington-Fayette Urban County Government has attempted to address these issues with Kentucky Utilities Company without success; and

WHEREAS, despite Lexington-Fayette Urban County Government's best efforts, Kentucky Utilities Company has continued clear cutting trees in Lexington-Fayette County; and

WHEREAS, the Lexington-Fayette Urban County Council wishes to file a formal complaint with the Kentucky Public Service Commission and take any necessary legal action in Fayette Circuit Court to protect the interests of the Lexington-Fayette Urban County Government and its residents from the negative environmental, ecological, aesthetic, and economic effects of Kentucky Utilities' tree cutting policy; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the above recitals are incorporated herein by reference as if fully stated.

Section 2 - That the Department of Law, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to file any necessary legal actions related to Kentucky Utilities Company's clear-cutting and removal of trees in Lexington-Fayette County, including filing a formal complaint with the Kentucky Public Service Commission and an action in Fayette Circuit Court.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
1266-21:DJBX:\Cases\CO\21-LE0001\LEG\00744285.DOCX

