

**BYLAWS  
OF THE  
LOUISVILLE/JEFFERSON COUNTY  
METRO REVENUE COMMISSION**



**APPROVED BY THE BOARD OF COMMISSIONERS OF THE LOUISVILLE / JEFFERSON COUNTY REVENUE COMMISSION AT A REGULAR MEETING, JULY 20, 1951, AS LAST AMENDED AT CONSECUTIVE REGULAR MEETINGS HELD ON FEBRUARY 17, 2010 AND MARCH 17, 2010, AS LAST AMENDED AT CONSECUTIVE REGULAR MEETINGS HELD ON AUGUST 17, 2011 AND SEPTEMBER 21, 2011, AS LAST AMENDED AT CONSECUTIVE REGULAR MEETINGS HELD ON JANUARY 18, 2012 AND FEBRUARY 9, 2012.**

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LOUISVILLE/JEFFERSON COUNTY  
METRO REVENUE COMMISSION**

ARTICLE I

**Name**

Section 1: **Name** - The name is the Louisville/Jefferson County Metro Revenue Commission (hereinafter referred to as "Commission").

ARTICLE II

**Purpose**

Section 1: **Purpose** - The purpose of the Commission shall be to administer and enforce all pertinent occupational license ordinances of the Louisville/Jefferson County Metro Government (hereinafter "Metro or Metro Government"), the Jefferson County Board of Education, the Anchorage Board of Education, the Transit Authority of River City (TARC), and other applicable government entities and collect the license fees required by law to be paid. To collect certain other taxes and fees levied by Metro Government; to invest revenues in short-term federal securities and to pay the general obligation bonded debt of Metro Government and its predecessors in interest. The Commission shall be under the control and management of the Commissioners of the Louisville/Jefferson County Metro Revenue Commission (hereinafter referred to as the "Commission").

## ARTICLE III

### **Members**

Section 1: **Commissioners** - The Mayor, the President of the Metro Council, the Superintendent of Jefferson County Public Schools, and three citizen members appointed by and serving at the pleasure of the Mayor, and approved by the Council, shall constitute the "Commissioners of the Louisville/Jefferson County Metro Revenue Commission". The Commissioners, other than the Mayor, the President of the Metro Council and the Superintendent of the Jefferson County Public Schools shall serve for a term of three years and until their successors have been appointed by the Mayor and qualified.

Section 2: **Qualifications** - No person who is a member of the Metro Council, or an officer of the Metro Government or State of Kentucky, or who does not possess the qualifications required for a member of the Metro Council, shall be eligible to be appointed as a citizen member of the Commission.

Section 3: **Vacancies** - Should a vacancy occur in the position of an appointed member, the Mayor shall appoint a new member to serve the unexpired term and that new member shall be appointed in the same fashion and shall possess the same qualifications as provided in Section 2 of this Article.

Section 4: **Resignation** - An appointed commissioner may resign at any time by delivering written notice to the Mayor with a copy to the Secretary-Treasurer of the Commission. The resignation shall be effective when the notice is delivered unless the notice specifies a later effective date. The Mayor shall appoint a person to fill the vacancy in the same manner as provided in Section 3 of this Article.

Section 5: **Designated Representatives** - The Mayor, the Superintendent of Jefferson County Public Schools, and the President of the Metro Council may appoint permanent designated representatives to serve in their stead as Commissioners of the Revenue Commission. However, the designee of the President of the Metro Council shall be a Metro Council member.

Section 6: **Superintendent, Jefferson County Public Schools** - The Superintendent of Jefferson County Public Schools shall be a member of the Commission only so long as the Louisville/Jefferson County Metro Revenue Commission collects the occupational license tax for Jefferson County Public Schools.

Section 7: **Bylaws, Rules, and Regulations** - The Commission may make and enforce bylaws, rules, and regulations, not contrary to law, for the conduct of the business of the Revenue Commission and may have and use a common seal, or act without a seal.

Section 8: **Ethics Code** - The Commissioners, including those serving as a designated representative as defined in Article II, Section 5, are deemed to be Metro Officers and subject to all provisions of the Metro Ethics Code (LMCO Chapter 21).

## ARTICLE IV

### Officers

Section 1: **Officers** - The officers of the Commission shall be a President, two Vice Presidents, and a Secretary-Treasurer.

Section 2: **Election of President and Vice-Presidents** – Annually in the month of November and immediately following the approval of minutes as provided in Article V, Section 4, the Commission shall elect from its citizen members a President and two Vice Presidents, who shall take office immediately following their election and qualification and shall continue in office until their successors are elected and qualified.

Section 3: **Secretary-Treasurer** - The Commissioners shall, by a majority vote, nominate a Secretary-Treasurer to the Mayor. The Secretary-Treasurer shall serve at

the pleasure of the Mayor. The Secretary-Treasurer shall not be a voting member of the Commission. As a Metro Officer, as defined in LMCO Chapter 21, the Secretary-Treasurer is subject to all provisions of the Metro Ethics Code.

Section 4: **Oath of Office** - Each of the commissioners and the Secretary-Treasurer, before entering upon the discharge of the duties of office, shall take an oath to discharge the duties of his or her office faithfully and according to law. The oath shall be reduced to writing, signed by the affiant and attested by the officer administering said oath, and shall be filed and kept as part of the records of the Commission.

Section 5: **Secretary-Treasurer Bond** - The Secretary-Treasurer shall give bond with good and sufficient surety in the sum of Five Hundred Thousand Dollars (\$500,000.00), which bond is to be approved by the Commissioners, and shall take oath in the manner required of the Commissioners to faithfully perform his or her duties, keep an accurate record of all proceedings of the Board of Commissioners, receive and disburse all moneys by order of the Commissioners, and keep an accurate account thereof, account for all money and other things of value belonging to the Revenue Commission that may come into his or her hands or control, and perform all other acts required by the Commissioners. The premium on said bond shall be paid as an administrative expense of the Commission.

Section 6: **Officer Pro Tem** - If, from any cause, the President or a Vice President of the Commission is temporarily unable to perform the duties of his or her office, the Commission may select an officer pro tem, who shall perform the duties of said officer until the regular officer can perform them.

Section 7: **President; Powers and Duties** - The President shall preside at the meetings of the Commission. The President may at any time instruct the Secretary-Treasurer to call a special meeting of the Commissioners by mailing, electronic mailing, or otherwise delivering to each commissioner, twenty-four hours prior to the time set for the said special meeting, a written notice specifying the date, hour, and purpose of the

special meeting and the fact that the call is made by order of the President. Said notice shall comply with all legal requirements for notification. The President shall have such other duties as may be assigned to the office by the Commission.

Section 8: **Vice-Presidents; Powers and Duties** - In the absence or inability of the President to serve, the Vice President with longevity from the standpoint of service on the Board of Commissioners shall serve as President. In the event the President is unable to act or is out of the City, said Vice President shall, during such inability or absence, act as President in all matters; provided, however, that either Vice President may be authorized to sign checks jointly, with the Secretary-Treasurer. In the event both the President and the senior Vice President are unable to act or are out of the City, the other Vice President shall, during such inability or absence, act as President in all matters.

Section 9: **Commissioner, Officer, and Employees not to speculate in City Bonds** - It shall be unlawful for a commissioner, or an officer, or employee of the Commission to trade or speculate in the bonds of the Metro Government. Any commissioner, officer, or employee may hold or sell any such bond or bonds as he may own at the time he or she becomes a commissioner, officer, or employee, and he or she may purchase such bonds as an investment, having first secured the consent of the Commission to do so by a resolution entered upon the record books. If any commissioner shall violate the provisions of this section, the person thereby vacates his or her position and it shall be the duty of the Mayor to fill the vacancy.

## ARTICLE V

### **Meetings**

Section 1: **Regular Meeting** - The Commission shall hold a regular meeting each month. The meeting scheduled for the ensuing calendar year shall be adopted by resolution at the November meeting immediately following the election of officers, provided that the Commission, by resolution adopted no later than its next preceding regular meeting, may change the date, time, and/or place of its regular meeting.

Section 2: **Quorum and Vote** - A majority of the members of the Commission shall constitute a quorum. The affirmative vote of the majority present at a meeting shall be the act of the Commission. The participation of a member electronically shall not constitute presence for the purpose of determining the existence of a quorum.

Section 3: **Special Meeting** - Special meetings of the Commission may be called at any time by the President, as provided herein, or by any two commissioners desiring to call a special meeting, who shall follow the procedures laid down in Article IV, Section 7; provided, however, that the call by the Secretary-Treasurer shall state the names of the commissioners who ordered it. All things possible to do at a regular meeting may be done at a special meeting, except as otherwise provided by statute, ordinance, or in these bylaws.

Section 4: **Minutes** - The Secretary-Treasurer shall cause to have made a record of the proceedings of the Commission at each regular and special meeting in a book, which shall be designated and known as the "Minutes of the Commission". At each regular meeting, the approval by the Commission of the minutes of the preceding regular and any special meeting(s) shall be the first order of business. It shall be the duty of the President and the Secretary-Treasurer, after such reading and approval, to certify thereto on the record.

## ARTICLE VI

### **Administrative Organization**

Section 1: **Agency Director** - The Secretary-Treasurer shall, acting as agency director, be the administrative head and chief financial officer of the Commission. The Secretary-Treasurer shall be responsible for the proper receiving and custody of all monies and other things of value, as hereinafter provided, and with the President (or in the latter's inability to act, with a Vice President) shall be responsible for the proper disbursement of all monies and things of value in accordance with the rules and regulations of the Commission, and for the performance of such other duties as the Commission may direct.

Section 2: **Withdrawal of Monies or Other Things of Value** - The monies or other things of value belonging to the Commission, or which may be placed to the credit of the Commission, shall be withdrawn only upon the order of the Secretary-Treasurer, approved by the President (or in the latter's absence from the City or inability to act, by a Vice President).

Section 3: **Accounts and Records** - The Secretary-Treasurer shall be responsible for the proper keeping of all the accounts and records of the Commission; and he or she shall make such regular and special reports as to the financial condition and transactions of the Commission as may be required by law or by order of the Commission.

Section 4: **Personnel Administration** - The Secretary-Treasurer shall be responsible for the performance of those administrative duties related to personnel administration. All personnel actions shall be governed by the Classification and Compensation Ordinance of Metro Government for Metro employees and such other personnel ordinances, policies and procedures, as are in effect for other Metro departments.

Section 5: **Absence of Secretary-Treasurer** - The Secretary-Treasurer may designate one of the Agency's personnel to carry out one or more of the duties of the Secretary-Treasurer during his or her absence. The employee so designated shall give bond with good and sufficient surety, in an amount to be determined by the Commission, providing indemnity to the Commission for any fraudulent or dishonest acts committed while acting alone or in collusion with others.

## ARTICLE VII

### **Administrative Expenses**

Section 1: **Compensation of Commissioners** - Each Commissioner, other than the salaried officers, may be compensated up to \$10.00 for attending the meetings of the Commission.

Section 2: **Compensation of Officers** - The President shall be compensated \$300.00 per meeting and each Vice-President shall be compensated \$100.00 per meeting for attendance at each regular meeting of the Commission. The participation of a member electronically shall not constitute presence for the purpose of compensation. In the absence of the President at the regular meeting, the presiding Vice-President shall further be compensated an additional \$200.00.

Section 3: **Compensation of Employees** - The salaries, compensation and other emoluments of the Secretary-Treasurer and other employees of the Commission shall be governed by personnel ordinances, policies, and procedures as are in effect for other Metro Government departments, agencies, and offices.

Section 4: **Annual Budget and Paying Administrative Expenses** - For purposes of operation and management, a fiscal year running from July 1<sup>st</sup> of each year to June 30th of the following year shall be adopted. Prior to each year, the Secretary-Treasurer shall prepare a detailed budget estimate of all administrative expenses of the Commission for the ensuing fiscal year. The estimates, when completed, shall be assembled in statement form, with such comments and explanations as the Secretary-Treasurer may deem necessary, and presented to the Commission for approval at the regular meeting in the month of May. The budget, as approved by the Commission, shall be submitted during the regular budget making process of Metro Government through the Mayor, to the Council for appropriation. At the regular meeting in the month of July, the budget appropriation by Metro Council shall be presented to the Commission. No expense shall be incurred in the administration of the Commission other than as provided in the budget, except as may be specifically authorized by Metro Government. The Secretary-Treasurer, acting as agency director, shall be responsible for the day-to-day administration of the approved budget of the agency.

## ARTICLE VIII

### **Treasury Administration**

Section 1: **Depository Bank** - The Commission shall deposit funds in one or more incorporated banks located or doing business within Jefferson County. Each such bank shall give bond with good and sufficient security, to be approved by the Commission, to secure the payment of all monies and other things of value deposited by the Commission with said bank, and the payment of such interest as may be agreed upon.

Section 2: **Depositing of Cash Receipts** - All cash, checks, money orders, etc., received from any source whatsoever by the Commission shall be deposited in a designated depository bank, without any deduction for any purpose, not later than the next business day that is not a bank holiday following the receipt thereof, unless prevailing circumstances make such deposit infeasible or unwarranted.

Section 3: **Disbursements** - Disbursements shall be made by check or wire transacted through the depository bank.

Section 4: **Purchase of Securities** - Purchase of securities, as either long-term or short-term investment of the Commission monies, shall be specifically authorized, or approved and ratified, by the Commission and shall be affected by the Secretary-Treasurer. All such purchases shall conform to the requirements of KRS 66.480 and approved investment policies.

Section 5: **Sales of Securities** - Sales of securities shall be specifically authorized, or approved and ratified, by the Commission and shall be carried out by the Secretary-Treasurer.

Section 6: **Reporting Purchase or Sale of Securities** - Each purchase or sale of securities shall be reported to the Commission at the first meeting succeeding such purchase or sale, and such report shall specify the date on which the securities were purchased or sold.

Section 7: **Custody of Securities** - All bonds and other securities purchased by the Commission shall be promptly recorded in a securities register or ledger. Bonds and other negotiable securities held in the physical possession of the Commission shall be kept in a safe deposit box in the vault of one or more trust companies or banks to be designated by the Commission. Other bonds and negotiable securities owned by the Commission shall be placed in safekeeping at one or more designated local banks or trust companies from time to time. Non-negotiable bank certificates of deposit held by the Commission may be kept in the Commission's safe at the offices of the Commission, or may be held in safekeeping by the respective financial institutions.

Section 8: **Examination and Count of Securities** - All securities belonging to the Commission and held in its physical possession shall be examined and counted at least once each year in the presence of the President and the Secretary-Treasurer, or by two commissioners other than the President. Examination and count of said securities may be made at any time, by any commissioner, or any authorized agent of the Commission, in the presence of the President and the Secretary-Treasurer and one other member of the Commission; such examination and count shall be reported to the Commission at their next regular meeting subsequent to the examination. A memorandum of each such examination and count shall be made in the securities register or ledger and shall be doled by the persons who made the count.

Section 9: **Metro Government Bonds** - A permanent record shall be kept of each authorized issue of general obligation bonds of Metro Government or its predecessors. It shall show the authority for the issue, the purpose and sale of the issue, the numbers and denominations of the bonds, and the rates of interest and dates of maturity of principal and interest, and where payable. A permanent record shall be maintained for each general obligation bond issue which will show the amount of the outstanding bonds of each issue and the numbers and amounts of bonds redeemed and destroyed. The Commission's fiscal agent shall maintain a record of the payment of each coupon of each bond issue. The fiscal agent shall provide monthly statements to the Commission setting forth for each bond issue the number, amount and date of maturity of each coupon and information as to redemption.

Section 10: **Payment of Metro Government Bonds and Interest Thereon** - The payment of all coupons for interest on Metro Government bonds shall be recorded promptly. Coupons paid at the office of the Commission shall be paid by check only and information as to coupon payments shall be presented to the Commission at their next regular meeting following the date of payment. The Secretary-Treasurer shall present information as to redeemed Metro Government bonds to the Commission at their next regular meeting following the date of redemption. When coupons or bonds are paid and destroyed by any authorized fiscal agent of the Commission, the cremation certificates from such fiscal agent shall be kept on file at the Commission offices for at least seven (7) years.

## ARTICLE IX

### **General Accounting**

Section 1: **General Books of Account** - It shall be the duty of the Secretary-Treasurer to see that such general ledgers, cash receipts books, registers of cash disbursements, and other records (whether manual or computerized) are kept in such form that a complete record of all Commission financial transactions shall be available to the Commission at any time. Said records shall show accurate and essential data as to all cash transactions, and shall be in such form that adequate monthly and yearly statements of all transactions and conditions can be promptly furnished.

Section 2: **Annual Audit** - There shall be an annual audit made of the Commission by an independent certified public accountant or accountants. The annual financial report shall be furnished to the Council in accordance with ordinance requirements.

## ARTICLE X

### **Administration of License Taxes**

Section 1: **Chief License Inspector** - The Secretary-Treasurer shall be the Chief License Inspector of the Commission. He or she shall administer and enforce all pertinent license ordinances of the Metro Government, Jefferson County and Anchorage School Boards, and other applicable government entities, and collect the license fees required by law to be paid. He or she shall carry out these duties through such employees, agents, and attorneys as may be made available to him or her for such purposes by the Commission. He or she shall perform such other duties relating to the administration and collection of license taxes as may be required by the Commission.

Section 2: **License Fee Receipts** - The Commission may from time to time prescribe methods and procedures to be followed in maintaining an adequate check on license fee receipts, and it shall be the duty of the Secretary-Treasurer to see at all times that the proper methods are followed to secure and check all license fee transactions, and to see that all such receipts are balanced and properly accounted for daily.

Section 3: **License Records** - Records of persons, firms, and corporations subject to licensing shall be kept in suitable form, each designed to show at least the name, address, the kind of business involved, the type of license, with expiration date, amount of fee, and the date the fee was paid. These forms shall be kept complete and up-to-date.

## ARTICLE XI

### **Bylaws**

Section 1: **Written Notice** - Whenever the term "written notice" is used in the bylaws, it shall unless otherwise specified in these bylaws include mail, hand delivery or other form of hard copy text or electronic text, such as telecopier (facsimile) or e-mail.

Section 2: **Amendment** - These Bylaws may be amended or repealed by a majority vote of the commissioners present at any meeting of the Commission, provided written notice and a copy of the proposed change or changes have been given in the call for the meeting or at a preceding regular or special meeting.

Section 3: **Invalid or Unenforceable Provisions** - If any portion of the Bylaws is found to be invalid or unenforceable, for whatever reason, the remainder of the Bylaws shall still be effective.

Section 4: **Conflict of Bylaws and Ordinances** - If any of the provisions of the Bylaws are in conflict with the Louisville/Jefferson County Metro Government Code of Ordinances, the ordinances shall take precedence.

**APPROVED BY THE BOARD OF COMMISSIONERS OF THE LOUISVILLE / JEFFERSON COUNTY REVENUE COMMISSION AT A REGULAR MEETING JULY 20, 1951, AS LAST AMENDED AT CONSECUTIVE REGULAR MEETINGS HELD ON FEBRUARY 17, 2010 AND MARCH 17, 2010, AS LAST AMENDED AT CONSECUTIVE REGULAR MEETINGS HELD ON AUGUST 17, 2011 AND SEPTEMBER 21, 2011, AS LAST AMENDED AT CONSECUTIVE REGULAR MEETINGS HELD ON JANUARY 18, 2012 AND FEBRUARY 9, 2012.**