

The Courier-Journal
Opinion / Letters To The Editor

Community Challenge - Illegal benches are targeted

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Scenic Kentucky is an organization known as a voice for protecting Kentucky's natural beauty and opposing billboard blight along our local and state highways.

Mary Hilliard Wilson, a Scenic Kentucky member, and Paul Bergmann, executive director of Scenic Kentucky, have been corresponding with Susan Bagshaw, executive assistant to Ted Pullen, head of Public Works. Susan said "that their past practice had been once a bench has been reported with a specific location, we inspect it, check for permit, tagged it and sent the owner of record a notice of violation to remove it, if it had not been permitted. Once we received notice back, the owner was given time to remove it, after that time if it was not removed, we removed it and held it until the owner collected and signed a waiver that it would not be placed back into the right of way."

"We are working with the county attorney on bench billboards as this has been an ongoing issue and concern of many, until we hear back from them we are not processing any open service request but you can still call in locations to MetroCall."

There are illegal benches everywhere throughout Metro Louisville. We need exact locations called in to MetroCall 311 and we then check Lojic, determine the dedicated right of way and jurisdiction of each location prior to inspection. If on state roads we have to contact Kentucky Transportation to see if any permit was obtained. Shelbyville Road and Brownsboro Road are both state roads. If benches are on private property, we would have to turn them over to IPL to see if they are in violation with codes and regulation.

They are frequently moved, which is part of the problem. Each bench shall bear a weatherproof label which contains the permit number and the name, address and telephone number of the owner. Such label shall be conspicuous in size and color, and placed in such a location so as to be readily visible.

Middletown did not sign off on those placed in their city and has acted aggressively to eliminate them and place appropriate, attractive, traditional metal benches where needed.

These are in addition to those noted in several earlier complaints about such billboard/off-premise message benches being placed along Westport Road (near Goose Creek) and further out near Hurstbourne Parkway and at Holiday Manor on U.S. 42 and on Bardstown Road.

Mary Wilson and Paul Bergmann noted their several requests for information on various sites. Both were sent an extensive list but are not sure of any action to date on either their or any other listed sites — several had been called in from all over the metro area, including along Bardstown and Shelbyville roads and Dixie Highway. Both were told that one needed an exact location description or an address to make an effective complaint. Mary asked about the required permits on the front signs that should be readily visible and did not get a satisfactory answer. Paul noted that they had to check with Frankfort on any billboard benches granted by the state. He informed Ms. Bagshaw that none were granted before the authority was turned over by the state to Metro Louisville in December 2010.

Mary's concern is that nothing is actually getting done — that many bench billboards pop up in various locations and, because of the city notice/citation procedures, can be in place a very long time. They can and seem to be moved fairly easily. Steve Porter, a Scenic Kentucky board member, suggested that Scenic Kentucky ask the county attorney to file an injunction to put a hold on any more benches being placed until the legal issues are settled.

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