

81A.534 Establishment of designated county industrial districts -- Process -- Requirements -- Removal of property from district by landowner.

- (1) (a) A fiscal court may establish a designated county industrial district by enacting an ordinance stating its intent to establish a district that includes a map and description of the area to be included within the district. Within ten (10) days of the enactment of the initial ordinance, the fiscal court shall provide written notice to all cities within the county that includes a map and a description of the area to be included within the district.
- (b)
 1. The fiscal court shall obtain written consent for inclusion within the proposed district from each property owner of record within the area to be included in the district.
 2. If a county fails to obtain the consent of each property owner of record, the county shall be barred from including the land owned by a property owner who did not consent within a district for a period of five (5) years in any future attempts to include that land in the district.
- (c)
 1. Within one hundred (100) days following the enactment of the ordinance of intent to establish a district, and after obtaining the consent of each property owner of record, the fiscal court may enact a final ordinance establishing the district. Within ten (10) days of the enactment of the final ordinance, the fiscal court shall provide written notice that includes a map and a description of the area to be included within the district to all cities within the county.
 2. If the fiscal court does not enact the final ordinance within one hundred (100) days following the enactment of the ordinance of intent to establish a district, the fiscal court shall be barred from including any part of the area identified in the ordinance in a district for a period of five (5) years.
- (2) The area within a designated county industrial district shall:
 - (a) Be suitable for development for industrial or commercial purposes;
 - (b) As of the date of the establishment of the district, not be used for industrial or commercial purposes; and
 - (c) As of the date of the establishment of the district, not have any part that is contiguous to the municipal boundaries of any city.
- (3) Land within a district shall be used solely for industrial or commercial purposes.
- (4) A county may establish up to two (2) districts that shall collectively total no more than one thousand (1,000) acres.
- (5) If, within five (5) years following the establishment of a district, the county has not made substantial investment in the district, the district shall be dissolved by operation of law.
- (6) A landowner of property located within a district may have the property removed from the district with the consent of the county that established the district.
- (7) A property owner of land within an established district or abutting a district, or a city within a county containing a district, may bring suit against the county, in the

Circuit Court of the county in which the district is located, on the basis that the county has failed to comply with the provisions of KRS 81A.532 to 81A.536.

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History: Created 2024 Ky. Acts ch. 158, sec. 8, effective July 15, 2024.