

1 AN ACT relating to the incorporation of cities in counties containing consolidated
2 local governments.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 67C.111 is amended to read as follows:

5 (1) All cities other than those of the first class located within the territory of the
6 consolidated local government, upon the successful passage of the question to
7 consolidate a city of the first class and its county, shall remain incorporated unless
8 dissolved in accordance with KRS 81.094 and shall continue to exercise all powers
9 and perform the functions permitted by the Constitution and general laws of the
10 Commonwealth of Kentucky applicable to the cities of the class to which they have
11 been assigned.

12 (2) ~~Upon the adoption of a consolidated local government in a county containing a city~~
13 ~~of the first class, there shall be no further incorporations of cities within the county.~~

14 ~~(3)~~ Upon the adoption of a consolidated local government in a county containing a city
15 of the first class, there shall be no annexations for a period of twelve (12) years by
16 any city remaining in the county. After that time, any proposed annexation by a city
17 in that county shall first receive the approval of the legislative council of the
18 consolidated local government prior to the city proceeding under the provisions of
19 KRS Chapter 81A. The city shall request the approval of the consolidated
20 legislative council by ordinance. The consolidated legislative council's decision
21 shall be made by ordinance and within sixty (60) days of the receipt of the request
22 by the affected city. If an ordinance has not been enacted by the consolidated
23 legislative council within sixty (60) days, the request for a city to proceed with an
24 annexation proposal shall be deemed to be approved by the consolidated legislative
25 council.

26 ~~(3)~~~~(4)~~ The adoption of a consolidated local government in a county containing a city
27 of the first class shall not prevent the merger or dissolution of any existing cities as

1 provided by law or the merger of any remaining cities with the newly consolidated
2 local government.

3 ➔Section 2. KRS 81.050 is amended to read as follows:

4 (1) ~~Except as provided in KRS 67C.111(2),~~ Proceedings to incorporate a city shall be
5 commenced by a petition being filed with the circuit clerk of the county in which
6 the area to be incorporated is located. The petition shall contain:

7 (a) The signatures and addresses of:

8 1. A number of registered voters equal to two-thirds (2/3) of the voters of
9 the proposed territory; or

10 2. A number of real property owners, the sum total of whose assessed value
11 of real property is equal to at least two-thirds (2/3) of the assessed value
12 of the real property in the proposed territory;

13 (b) A statement of the boundaries proposed and the number of residents;

14 (c) An accurate map of the proposed territory;

15 (d) A detailed statement of the reasons for incorporation including the services
16 sought from the proposed city;

17 (e) A description of the existing facilities and services within the proposed
18 territory; and

19 (f) A statement of the form of government under which the city will operate if
20 incorporated.

21 (2) The petition shall be docketed for hearing not less than twenty (20) days from the
22 date of filing the petition. Notice of the filing of the petition and of its object shall
23 be given by publication pursuant to KRS Chapter 424.

24 ➔Section 3. KRS 81A.410 is amended to read as follows:

25 (1) Except as provided in KRS 67C.111(2)~~(3)~~, a city legislative body may extend the
26 city's boundaries to include any area:

27 (a) Which is adjacent or contiguous to the city's boundaries at the time the

- 1 annexation proceeding is begun; and
- 2 (b) Which by reason of population density, commercial, industrial, institutional,
- 3 or governmental use of land, or subdivision of land, is urban in character or
- 4 suitable for development for urban purposes without unreasonable delay.
- 5 (2) No part of the area to be annexed shall be included within the boundary of another
- 6 incorporated city.
- 7 (3) If a city is considering the annexation of two (2) or more areas which are all
- 8 adjacent to the city boundary but are not adjacent to one another, it may undertake
- 9 simultaneous proceedings under the authority of KRS 81A.420 for the annexation
- 10 of such areas.