

#### **74.500 Procedure for participation by other city or water districts.**

After the creation of a water commission provided for by KRS 74.420 to 74.520, a city or water district which did not participate in the creation of said commission may participate in its operation and appoint a commissioner to serve on said commission in the following manner:

- (1) The governing body of such city or water district shall adopt and file with the county judge/executive who entered the order creating said commission an ordinance or resolution electing and requesting that it be permitted to be included in and represented by said commission in the same manner and to the same extent as if said city or water district had originally participated in the creation of said commission.
- (2) Upon such filing the county judge/executive shall by appropriate order set a date for a public hearing on the inclusion of such a city or water district in said commission, and shall give notice of such public hearing in the manner as provided by KRS 74.440. Any resident of the city or water district at the time represented by said commission, and any resident of the city or water district requesting to be included in and represented by said commission and to participate in its operation, may file objections, and at the public hearing if the county judge/executive finds that the inclusion of such city or water district in said commission is reasonably necessary or advantageous for the public health, convenience and comfort of the residents of all cities and water districts represented by said commission, including the city or water district requesting to be included in said commission, and provided further that there shall be on file with the county judge/executive a resolution adopted by said commission evidencing its willingness to have such city or water district included in and represented by said commission the county judge/executive shall make an order authorizing the inclusion of such city or water district in the commission. If the county judge/executive does not find that the inclusion of such city or water district is reasonably necessary or advantageous he shall make an appropriate order in this regard. Any party in interest may thereupon appeal to the Circuit Court.
- (3) Upon the entering of the order by the county judge/executive authorizing the inclusion of such city or water district in said commission the number of commissioners, if any, to be appointed to said commission by the county judge/executive shall be reduced by one (1) and the presiding officer, with the approval of the governing body of the city or water district which shall by virtue of said proceedings be included in and represented by said commission, shall appoint a commissioner whose term shall begin at the expiration of the term of the commissioner appointed by the county judge/executive whose term shall first expire. In the event there is no commissioner on said commission appointed by the county judge/executive the term of the commissioner appointed by the presiding officer of such city or water district shall be fixed so that the terms of approximately one-third (1/3) of the commissioners will expire in each year.

**Effective:** June 17, 1978

**History:** Amended 1978 Ky. Acts ch. 384, sec. 194, effective June 17, 1978. -- Created 1960 Ky. Acts ch. 207, sec. 9, effective June 16, 1960.