

65.170 Dissolution by referendum.

- (1) A district may be dissolved by a referendum as provided in this section.
- (2) Persons seeking dissolution of a district shall submit a petition to the county clerk signed by at least fifty percent (50%) of that class of citizens who may by law petition for the creation of the district.
- (3) The petition shall be in substantially the following form: "The undersigned (registered voters, qualified voters, freeholders, or landowners as determined by subsection (2) of this section) living within (name of the district and containing a metes and bounds description of the district) hereby request that the question of the dissolution of the district be put to a referendum." The petition shall conspicuously state in layman's terms that any legal obligations of the district must be satisfied before the district can be dissolved and that the citizens of the district shall be responsible for the satisfaction of any such obligations. Signatures on the petition shall be dated, the last no later than ninety (90) days after the first.
- (4) If the county clerk determines that the petition is in proper order, he shall certify the petition to the fiscal court or consolidated local government. The fiscal court or consolidated local government shall direct that the question be placed before the voters at the next regular election if the petition is certified not later than the second Tuesday in August preceding the day of the regular election. The fiscal court or consolidated local government shall bear the costs of advertising and placing the question before the voters.
- (5) The county clerk shall advertise the question as provided in KRS Chapter 424 and shall prepare the following admonition to the voter: "The (name of district) may have existing legal obligations that must be satisfied before the district can be dissolved. The citizens of the district shall be responsible for the satisfaction of any such obligations." The question of the dissolution of the district shall be placed before the voters in substantially the following form: "The (name of the district and containing a metes and bounds description of the district) should be dissolved." The voter shall vote "yes" or "no."
- (6) Registered voters eligible to sign a petition for dissolution as provided by subsection (2) of this section shall be eligible to vote on the question of dissolution.
- (7) In referendums under this section, provision shall be made for those opposing the dissolution of the district to have equal representation with the proponents of the measure in the determination of eligibility of voters, and in the observance of canvassing and certifying of the returns.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 346, sec. 25, effective July 15, 2002. -- Amended 1996 Ky. Acts ch. 195, sec. 28, effective July 15, 1996. -- Amended 1982 Ky. Acts ch. 360, sec. 14, effective July 15, 1982. -- Created 1980 Ky. Acts ch. 369, sec. 4, effective July 15, 1980.