

**76.269 Other districts to become construction subdistricts when -- Incorporated in district when.**

A sanitation district organized under KRS 220.010 to 220.540, a sewer construction district organized under KRS 76.300 to 76.420, and a sewage system owned by any municipality, political subdivision, or any other entity, public or private, may be made a construction subdistrict or incorporated into the district area by the board under the conditions of this section.

- (1) Any such district or system may be made a construction subdistrict only when:
  - (a) Express, written consent of all bondholders and secured creditors has been obtained;
  - (b) The governing body or owner of such district or system has consented in writing; and
  - (c) The board has determined that the policy of KRS 76.010 to 76.295 will best be served by making such district or system a construction subdistrict.
- (2) When such district or system has been made a construction subdistrict under subsection (1), KRS 76.241 to 76.253 and KRS 76.257 to 76.259 shall not apply to it.
- (3) Any such district or system may be incorporated by the board into the district area only when:
  - (a) All debts of the district or system have been paid or an amount of either money or securities lawful as investments under KRS 386.020 has been laid aside to pay them by the governing body or owner of such district or system;
  - (b) The governing body or owner of such district or system has consented in writing;
  - (c) Such district or system is not within a sanitation tax district organized under KRS 76.274; and
  - (d) The board has determined that the policy of KRS 76.010 to 76.210 will best be served by incorporating such district or system into the district area.

**Effective:** July 15, 1980

**History:** Amended 1980 Ky. Acts ch. 188, sec. 62, effective July 15, 1980. -- Created 1964 Ky. Acts ch. 33, sec. 46.