

**81.330 When plan to take effect -- Exclusion of city from boundaries of new city --  
Result -- Liability of city of first class.**

- (1) If more than half of the votes cast within the city of the first class and more than half of the votes cast in the affected area outside of the city of the first class are in favor of the plan, then it shall be effected and the boundaries of the city of the first class shall thirty (30) days after the certification of the election be extended so as to include the area described in accordance with KRS 81.310, including any city of a lesser class within such area, except,
- (2) If in any city other than of the first class within the area affected (except cities incorporated within twelve (12) months of the submission of the question on the plan to the voters), more than half of the votes cast are opposed to the plan, then such city shall be excluded from the new boundaries of the city of the first class. The total votes cast in any such city rejecting the plan shall be deducted from the total votes cast on the question so that the votes cast in such city shall have no effect upon the acceptance or rejection of the plan as a whole.
- (3) If the plan is approved, thereafter, neither the county government nor any of its agencies or joint agencies shall be required to render any services within a rejecting city that it does not render within a city of the first class in accordance with the plan. However, the fiscal court may determine that the rendition of any governmental service within a rejecting city is necessary for the public health, safety or welfare in which event the rejecting city may be required to pay to the county the costs of such services rendered.
- (4) The city of the first class shall be bound for all the debts and liabilities and shall be the owner of all corporate property, franchises and rights of any city included within its boundaries extended as hereinabove provided and becoming a part thereof; thirty (30) days after the certification of the approval of the plan by the voters any such city shall cease to exist.

**Effective:** May 18, 1956

**History:** Created 1956 Ky. Acts ch. 17, sec. 6, effective May 18, 1956.