

### **96.183 Termination of operation under KRS 96.171 to 96.188.**

The governing body of the municipality may terminate the operation and management of the electric and water plant by the board under the provisions of KRS 96.171 to 96.188 only by first complying with the following provisions, to wit:

- (1) The governing body of the municipality, upon the adoption of an ordinance declaring the desire of the municipality to terminate the operation of the electric and water plant by the board under the provisions of KRS 96.171 to 96.188, may direct that such question be submitted to an election of the qualified voters of the municipality. The mayor shall certify such ordinance to the county clerk not later than the second Tuesday in August preceding the next general election, who shall have prepared to be placed before the voters in the general November election, the question: "Are you in favor of the termination of the operation and management of the electric and water system of the city by the Electric and Water Plant Board?" The voters shall be instructed to indicate a "Yes" or a "No" vote.
- (2) The mayor of such municipality shall advertise such election and the object thereof by publication pursuant to KRS Chapter 424, and also by printed handbills posted in not less than four (4) conspicuous places in each voting precinct in the city and at the courthouse door. All legal voters of such city shall be privileged to vote at such election.
- (3) If two thirds (2/3) of all the qualified voters of the municipality voting in said general election on the question shall vote in the affirmative, the governing body of the municipality may adopt an ordinance rescinding its election to operate under the provisions of KRS 96.171 to 96.188, and the board, on the first day of the month following the passage and approval of such ordinance, shall by resolution transfer the operation of the electric and water plant to the governing body of the municipality.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 195, sec. 45, effective July 15, 1996. -- Amended 1982 Ky. Acts ch. 360, sec. 25, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 384, sec. 220, effective June 17, 1978. -- Amended 1966 Ky. Acts ch. 239, sec. 90. -- Amended 1952 Ky. Acts ch. 44, sec. 5. -- Created 1946 Ky. Acts ch. 212, sec. 15.