

107.050 Procedure following public hearing -- Second ordinance.

- (1) At a subsequent regular meeting of the governing body, the said written report of said public hearing shall be publicly received, read, and considered by the governing body of the city. At such meeting, or at any subsequent properly convened regular, adjourned or special meeting, owners of properties to be benefited may again be heard, in person or by a representative, and the governing body may adopt an ordinance (hereinafter referred to as the "Second Ordinance"), which may provide for (a) abandonment of the project, or (b) the undertaking of the proposed project, with provision for the financing thereof according to the "assessed value basis" set forth in this chapter, or (c) the undertaking of the project, with provision for the financing thereof according to any other method which may be permitted by law, or (d) altering the nature and scope of the proposed project, in which event the procedure for public hearing and a further report shall be repeated according to the preceding provisions of this chapter. If the governing body shall determine that the owners of more than fifty percent (50%), both in number of lots or parcels and in aggregate assessed value of the properties to be benefited by the project, object to the financing thereof through annual assessments levied upon the "assessed value basis," as authorized in this chapter, the governing body may enact the second ordinance only upon the affirmative vote of members constituting not less than three-fifths (3/5) of the membership of the governing body, the names of the members so voting to be recorded in the minutes of the meeting whether or not there be any other requirement of such procedure in any other law applicable to the class of city in question. The second ordinance shall be published as provided in this chapter with respect to publication of the first ordinance.
- (2) Before the second ordinance for a wastewater collection project adopted by the board of a metropolitan sewer district shall become effective, the following shall take place: (a) if the benefited property is situated outside a city of the first class, the second ordinance shall also be adopted by appropriate ordinance or resolution of the fiscal court of the county in which the district is situated, or (b) if the benefited property is situated within a city of the first class, the second ordinance shall be adopted by an appropriate ordinance of the board of aldermen of that city.

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 13, sec. 13. -- Created 1956 Ky. Acts ch. 239, sec. 5.