

173.800 Procedure for dissolution of district.

A district may be dissolved in the following manner:

- (1) Upon filing of a duly-certified petition of fifty-one percent (51%) of the number of qualified voters who voted in the last general election in the district, the fiscal court of each county in the district shall adopt a resolution to dissolve a library district.
- (2) The petition shall be in substantially the following form: "The following qualified voters in (insert name of county or counties) favor dissolving the (insert name of district) Public Library District." It shall be presented to the fiscal court within ninety (90) days after having been signed by the first petitioner.
- (3) A certified copy of the order of the fiscal court shall be filed with the county clerk.
- (4) The county clerk or clerks in the district will thereupon remove the tax levy from the tax bills of the property owners of the district and the district shall be dissolved.
- (5) A petition for dissolution will not be considered of any legal effect if, at any time prior to the filing of such a petition for dissolution, either:
 - (a) Contractual obligations have been assumed by pertinent contracting parties in connection with said subject library, which contractual obligations would be adversely affected by any such dissolution; or
 - (b) If, as of the time of filing of such a petition for dissolution, the board of such district shall have arranged for the financing of a library in that district pursuant to a plan of financing involving a lease of that library to the board under which lease the board is not bound for more than one (1) year at a time without exercising an annual option to renew the lease and such lease remains effective and has not been terminated; or
 - (c) If less than three (3) years have passed since the certified copy of the order of the fiscal court ordering the levy of the tax was filed with the county clerk.
- (6) After all contractual obligations, existing prior to the time of the attempted filing of such petition for dissolution, have been satisfied, then, at such time, a petition for dissolution may be effectively filed under this section, provided that other provisions of this section are complied with.

Effective: June 17, 1978

History: Amended 1978 Ky. Acts ch. 384, sec. 300, effective June 17, 1978. -- Amended 1972 Ky. Acts ch. 223, sec. 11. -- Amended 1970 Ky. Acts ch. 241, sec. 8. -- Amended 1966 Ky. Acts ch. 154, sec. 1. -- Created 1964 Ky. Acts ch. 92, sec. 19.