

**212.350 Creation of city-county board of health for cities of first class and counties containing such cities -- Corporate powers -- Abolishment of former health agencies -- Effect of compact -- Application upon establishment of consolidated local government.**

- (1) In each county of the Commonwealth of Kentucky in which there is located a city of the first class or a consolidated local government, there is hereby created a board of health which board shall be a body politic and corporate, and shall be known as the "... (name of city of the first class) and .... (name of county) or ..... (name of the consolidated local government) County Board of Health" hereinafter called the "board," which board shall have jurisdiction throughout such county, including all municipalities in said county with respect to and in accordance with the provisions of KRS 212.350 to 212.620. Wherever the words "city" and "mayor" are used in KRS 212.350 to 212.620 they shall mean such city of the first class or consolidated local government, and the mayor thereof. Said board may, in its corporate name, sue and be sued, contract and be contracted with, and acquire real, personal and mixed property by deed, purchase, gift, devise, lease, condemnation, or otherwise, and dispose of same; and may make appropriate rules and regulations and do all things reasonable or necessary effectively to carry out the work and properly to perform the duties intended or required by KRS 212.350 to 212.620. When and after the board herein created is organized as herein provided, and except as otherwise provided by law, said board shall succeed to and be vested with all of the functions, obligations, powers, and duties now being exercised by the county board of health, any department of public health, and by any board of tuberculosis hospital in such county; and thereupon the board of health and the department of health and the board of tuberculosis hospital shall cease to exist, and all laws and amendments of said laws, relating to and governing the aforesaid county board of health, department of public health, and board of tuberculosis hospital, in conflict with the provisions of KRS 212.350 to 212.620, shall, to the extent of such conflict, stand and be repealed.
- (2) Notwithstanding KRS 212.350 to 212.625, when a city of the first class and a county containing such city have in effect a compact under KRS 79.310 to 79.330, the county and such city of the first class shall agree that the county shall provide all staff support, including a director of health, to the board of health through county officers, assistants, clerks, deputies, and employees. In such case, all officers, employees, and staff of the board of health and the department of health shall be deemed county employees, and shall be subject to the control of fiscal court. At the time the compact takes effect the officers, employees, and staff of the board of health and the department of health shall be transferred to the service of county government; provided that all such employees who at such time are in the classified service shall be continued in a classified service administered by county government. All functions, obligations, powers, and duties now vested in the board of health shall continue to be vested in the board unless changed by ordinance of the fiscal court of such county. Upon the establishment of a consolidated local government in a county where a city of the first class and a county containing that city have had in effect a cooperative compact pursuant to KRS 79.310 to 79.330, the

requirements of this subsection pertaining to county government shall be assumed by the consolidated local government.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 203, effective July 15, 2002. -- Amended 1986 Ky. Acts ch. 77, sec. 22, effective July 15, 1986. -- Created 1942 Ky. Acts ch. 41, sec. 1.