

262.550 Commission to determine feasibility of continuance of district.

- (1) The commission shall publish the result of the referendum and shall determine whether the continued operation of the district within the defined boundaries is administratively practicable and feasible. If the commission determines that the continued operation of the district is administratively practicable and feasible, it shall record the determination and deny the petition. If the commission determines that the continued operation of the district is not administratively practicable and feasible, it shall record that determination and shall certify that determination to the board of the district. In making that determination the commission shall give regard and weight to the attitudes of the owners and occupiers of lands lying within the district, the number of landowners eligible to vote in the referendum who have voted, the proportion of the votes cast in the referendum in favor of the discontinuance of the district to the total number of votes cast, the approximate wealth and income of the landowners and occupiers of the district, the probable expense of carrying on erosion-control operations within the district and such other economic and social factors as are relevant to the determination.
- (2) The commission shall not determine that the continued operation of the district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum have been cast in favor of the continuance of the district.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 42i-15.