

267.350 Board or court may change assessment -- Relevy.

- (1) When the county judge/executive has confirmed an assessment for any improvement and it has been modified by a court of superior jurisdiction, or for some unforeseen cause it cannot be collected, the board may change the original assessment to conform to the judgment of the court and to cover any deficit caused by the order of the county judge/executive, or unforeseen occurrence.
- (2) In any other case where, for any cause, it is ascertained that the amount assessed against the property in the district is not sufficient to complete the improvement provided for, and a petition is filed by the board, or any three (3) or more of the original petitioners, or by the board and three (3) or more of the petitioners, stating the amount of the deficit, the causes thereof and the amount necessary to be raised in order to complete the work, and asking an additional assessment and levy, the county judge/executive shall cause the county clerk to give notice of the filing and purpose of the petition, and shall fix a time between ten (10) and twenty (20) days from the giving of the notice when the petition will be acted upon, and exceptions, answers or objections received. The notice shall be published pursuant to KRS Chapter 424, and posted in at least three (3) public places in the district. Such publication shall be sufficient notice of the proceeding to all parties affected. Upon hearing, if the county judge/executive finds that the additional assessment and levy asked for in the petition are necessary and ought to be made in order to complete the work, he shall direct such assessment and relevy to be made by the board.
- (3) Any additional assessment and relevy made under this section shall be made in the same ratio on the land benefited as the original assessment, and shall be collected in the same way.

Effective: June 17, 1978

History: Amended 1978 Ky. Acts ch. 384, sec. 410, effective June 17, 1978. -- Amended 1966 Ky. Acts ch. 239, sec. 187. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2380-35.