

#### **65.410 Definitions.**

- (1) "Local legislative body" means the chief governing body of a city, county, consolidated local government, or urban-county which has legislative powers whether it is the board of aldermen, the general council, the common council, the legislative council, the city council, the board of commissioners, the fiscal court, or otherwise.
- (2) "Open space land" means any land in an area which is provided or preserved for park or recreational purposes; conservation of land or other natural resources; historic or scenic purposes; or community development purposes.
- (3) "Public body" means any state agency or local legislative body.
- (4) A "scenic easement" is an interest in land transferred by the owner thereof to the public, either in perpetuity or for a term of years. A scenic easement may be created by sale, gift, lease, bequest, or otherwise. An instrument which creates a scenic easement shall contain a covenant whereby the owner of the land promises neither to undertake nor to permit the construction of any improvements upon the land, except as the instrument provides and except for public service facilities installed for the benefit of the land subject to such covenant or public service facilities installed pursuant to an authorization by the governing body of the city, county, urban-county, or the Public Service Commission. Any such reservation shall be consistent with the purposes of this chapter or with the findings of the county, city, or urban-county pursuant to KRS 65.466 and shall not permit any action which will materially impair the open-space character of the land.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 28, effective July 15, 2002. -- Amended 1976 Ky. Acts ch. 123, sec. 1. -- Amended 1972 Ky. Acts ch. 312, sec. 1.