

67A.847 Procedure for referendum -- Application of general election law -- Combined proposal with public parks purchase and maintenance program.

The procedure for a referendum authorized by KRS 67A.843 shall be as follows:

- (1) A purchase of development rights program proposal authorized by KRS 67A.843 and 67A.845 may be submitted to the voters of an urban-county by either a resolution of the legislative body or a petition meeting the requirements of this section. The resolution or petition shall set out the matters specified in KRS 67A.843(1). The proposal shall be drafted in such a way that a vote in favor of adoption shall be a vote in favor of the proposal.
- (2) Petitions shall be signed by registered voters of the urban-county government equal in number to at least ten percent (10%) of the total number of votes cast in the urban-county in the last regular mayoral election of the urban-county government.
- (3) If, not later than ninety (90) days preceding the day established for a regular election, the county clerk receives a resolution adopted by a three-fifths (3/5) vote of the legislative body of the urban-county government requesting that the question be submitted to the voters or determines that a petition submitted in accordance with this section is sufficient, the legal department of the urban-county government shall prepare to place before the voters of the urban-county government at the next regular election the question, which shall appear on the ballot in the following form:

"() FOR RATIFICATION OF (summary of proposed program)

() AGAINST RATIFICATION OF (summary of proposed program)".

The county clerk shall cause to be published, not fewer than three (3) times within the thirty (30) day period immediately preceding the election in a newspaper having a general circulation in the territory of the urban-county government, notice of the referendum, the exact language of the proposal, and a map prepared by the urban-county government showing the general location of the properties from which development rights may be purchased under the program.

- (4) The provisions of general election law shall apply to a referendum conducted under this section. The certificate of the body authorized by law to canvass election returns shall be delivered to the mayor of the urban-county government and the certificate shall be entered upon the records of the urban-county government during the next regular meeting of the urban-county government legislative body. If a proposed program is approved, it shall become effective at the time specified in the proposal, but the effective date shall not be before the first day of January following the election.
- (5) After compliance with the provisions of this section and KRS 67A.160, a purchase of development rights program authorized by KRS 67A.843 and 67A.845 may be combined with a public parks purchase and maintenance program proposal authorized by KRS 97.590. In the case of a combined proposal, the urban-county government shall place before the voters a single ballot proposal that combines the purchase of development rights program proposal and the parks purchase and maintenance program proposal. In that

event, the proposal shall specify which tax levy or portion thereof shall provide funding for the purchase of development rights program proposal and which will provide funding for the parks purchase and maintenance program proposal.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 355, sec. 2, effective July 14, 2000. --
Created 1998 Ky. Acts ch. 372, sec. 5, effective July 15, 1998.