81.028 Effect of reclassification of city in county containing consolidated local government or city of first class as city of second class on personnel and retirement systems and police and fire protection services.

(1) Any city located in a county containing a consolidated local government or a city of the first class which is reclassified as a city of the second class after March 16, 2000, shall be exempt from the provisions of KRS 90.300 to 90.400, 95.430 to 95.500, and 95.851 to 95.991 relating to the organization and structure of civil service systems, police departments, fire departments, and pension systems in cities of the second class.

(2) In lieu of the requirements of these statutes, any city reclassified as a city of the second class shall ensure that police and fire protection services are provided for the citizens of the city in the same manner and at least at the same level of service as was being provided prior to the reclassification.

(3) Nothing in this section shall prevent a city from restructuring or creating a new civil service system, police department, or fire department after a reclassification to a city of the second class. Any city that restructures or creates a new civil service system, police department, or fire department may adopt any of the provisions of KRS 90.300 to 90.400, 95.430 to 95.500, and 95.851 to 95.991 relating to the organization and structure of civil service systems, police departments, fire departments, and pension systems in cities of the second class.

(4) If fire protection service is being provided by a fire protection district in any city that is reclassified as a city of the second class, the reclassification shall in no way affect the operations of the fire protection district and the services it provides. If at any time after a city is reclassified as a city of the second class, the fire protection district ceases to exist or fails to adequately provide for the fire protection needs of the city, the city shall have the right to create its own fire department or secure some other means for the provision of adequate fire protection services.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 346, sec. 88, effective July 15, 2002. -- Created 2000 Ky. Acts ch. 121, sec. 1, effective March 16, 2000.