

### **81.005 Classification of cities.**

- (1) Cities shall be organized into two (2) classes based on the form of their respective government. The two (2) classes of cities shall be:
  - (a) First class, which shall include cities organized and operating under the mayor-alderman plan of government in accordance with KRS Chapter 83; and
  - (b) Home rule class, which shall include any city government organized and operating under the following classes of government:
    1. City manager plan of government in accordance with KRS 83A.150;
    2. Mayor-council plan of government in accordance with KRS 83A.130; or
    3. Commission plan of government in accordance with KRS 83A.140.
- (2) Cities incorporated before January 1, 2015, shall be classified in accordance with the classes set out in subsection (1) of this section on January 1, 2015.
- (3) When a city is incorporated on or after January 1, 2015, that city's initial classification shall be the form of government designated by the court upon incorporation in accordance with KRS 81.060.
- (4) A city shall be deemed to be reclassified to the class designated under subsection (2) of this section upon the effective date of a change in the form of government pursuant to KRS 83A.160.
- (5) When a city changes class, it shall thereafter be governed by the laws relating to the class to which it is assigned, but the change from one (1) class to another shall not affect any ordinance previously enacted by the city, except that any ordinance in conflict with the laws relating to cities of the class to which the city is assigned shall be repealed to the extent the ordinance so conflicts.
- (6) A city that is reclassified shall provide the Secretary of State written notice of the reclassification, including the effective date of the reclassification no later than thirty (30) days after the effective date of the reclassification pursuant to KRS 83A.160.
- (7) In order to update the record of incorporation of cities in the Secretary of State's office, every city operating as a public corporation and a unit of local government shall file with the Secretary of State before January 1, 2015, a document listing the name of the city, the year of its incorporation, form of government, and the classification assigned the city by this section. If a city fails to comply with this subsection, it shall be barred from receiving state moneys until such time as the city complies.

**Effective:** January 1, 2015

**History:** Created 2014 Ky. Acts ch. 92, sec. 1, effective January 1, 2015.