

**67.940 Nonparticipating cities within territory to remain incorporated and exercise existing powers -- Incorporations after unification prohibited -- Council approval required for annexation.**

- (1) Any nonparticipating city located within the territory of a unified local government following adoption of a unification plan shall remain incorporated unless dissolved in accordance with KRS 81.094 and shall continue to exercise all powers and perform all functions permitted by the Constitution of Kentucky and the Kentucky Revised Statutes applicable to cities of the class to which it has been assigned.
- (2) After the adoption of a unified local government, there shall be no further incorporation of cities within the county.
- (3) After the adoption of a unified local government, any proposed annexation by a city in the county shall first receive the approval of the legislative council of the unified local government prior to the city proceeding under the provisions of KRS Chapter 81A. The city shall request the approval of the unified local government by ordinance. The unified local government shall respond by ordinance within sixty (60) days of receipt of the request. If an ordinance has not been enacted by the unified local government legislative council within sixty (60) days, the request by a city to proceed with an annexation proposal shall be deemed to be approved by the unified local government.

**Effective:** July 12, 2006

**History:** Created 2006 Ky. Acts ch. 246, sec. 21, effective July 12, 2006.