

**81.500 Transfer of incorporated areas between cities of the second through sixth classes.**

- (1) When two (2) cities of the second through the sixth class have a common boundary and it is determined that a specified area within one (1) city can be better served by the adjoining city, the specified incorporated area may be transferred to the adjoining city upon enactment of identical ordinances by each city legislative body and the submission of a petition in support of the transfer signed by voters in the area to be transferred.
- (2) The ordinances declaring the transfer of property between two (2) cities shall include, but not be limited to, the following:
  - (a) A definition of the area to be transferred;
  - (b) A statement of the financial considerations between the two (2) cities regarding the area and the terms of any financial agreements;
  - (c) The resolution of any taxes or revenues from the area; and
  - (d) A statement of the land use or zoning regulations which would be applicable to the area being transferred if planning and zoning is in effect pursuant to KRS Chapter 100 in either city.
- (3) Prior to the effective date of the transfer of the property, a petition in support of the transfer, containing a number of signatures of residents in the area to be transferred which is not less than fifty-one percent (51%) of the number of registered voters in the area to be transferred, shall be submitted to the county clerk of the county from which the property is being transferred. The county clerk shall within ten (10) working days of receipt of the petition notify each city of the validity of each signature and address on the petition. No petition shall be required to be submitted when the property proposed for transfer contains no residents and the property owners consent in writing to the transfer.
- (4) The enactment of ordinances by each city shall be pursuant to KRS 83A.060.
- (5) The authority for the transfer of incorporated property between cities shall be exclusive of the provisions of KRS 81A.440.
- (6) In addition to other public notice requirements, cities involved in the transfer of incorporated areas between cities shall comply with the provisions of KRS 81A.470 and 81A.475.
- (7) The incorporated area being transferred shall assume the local option status of the city to which it is being transferred.

**Effective:** February 28, 1992

**History:** Created 1992 Ky. Acts ch. 17, sec. 1, effective February 28, 1992.