

**109.0415 Election on initial county solid waste management plan for counties without approved plan as of March 15, 1992.**

- (1) As to any county for which an initial county or area solid waste management plan was not approved by the cabinet as of March 15, 1992, a county solid waste management plan submitted to the cabinet shall not become effective if fifty-one percent (51%) of the registered voters eligible to vote in the last Presidential election sign and file a petition with the county clerk and the cabinet requesting submission of the plan to voter approval. The petition shall be filed within one hundred fifty (150) days of the fiscal court vote approving the plan.
- (2) If the county clerk determines that the petition is in proper order, the clerk shall certify the petition to the fiscal court. The fiscal court shall direct that the question be placed before the voters at a special election held less than sixty (60) days from the certification of the petition. The fiscal court shall bear the costs of advertising and placing the question before the voters.
- (3) The county clerk shall advertise the question as provided in KRS Chapter 424 and shall instruct the voters to vote "yes" or "no" on acceptance of the solid waste management plan. The results of the vote shall be certified to the fiscal court of the county and the cabinet. The cabinet shall not approve a county solid waste management plan if at least sixty (60) percent of those voting vote "no."
- (4) The provisions of this section shall not apply to any subsequent plan submitted by any county.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 342, sec. 11, effective July 15, 2002. --  
Created 1992 Ky. Acts ch. 160, sec. 1, effective April 1, 1992.