

220.035 Powers of fiscal court to be stated in ordinance -- Powers of county judges/executive in districts governed by KRS 220.135 -- Service charges, rates, and user fees in districts with more than 10,000 customer accounts governed by KRS 220.542.

- (1) A fiscal court may:
 - (a) Review and approve, amend, or disapprove proposed district land acquisitions;
 - (b) Review and approve, amend, or disapprove proposed district construction of capital improvements;
 - (c) Except as provided under KRS 220.542, review and approve, amend, or disapprove proposed service charges or user fees not more than once in a twelve (12) month period; and
 - (d) Review and approve, amend, or disapprove the district's proposed budget.
- (2) In order to exercise any or all the powers enumerated in subsection (1) of this section, the fiscal court shall adopt a county ordinance explicitly stating which of the powers the fiscal court intends to exercise and setting forth the procedures by which the sanitation district shall submit plans and documentation for review and approval, amendment, or disapproval. The exercise of such powers shall become effective thirty (30) days following the effective date of the ordinance. In the case of districts lying in two (2) or more counties, no fiscal court shall exercise the powers enumerated in subsection (1) of this section until each fiscal court has adopted conforming ordinances stating the powers to be exercised.
- (3) In the case of districts lying in two (2) or more counties, the votes of the respective fiscal courts shall be weighted in the same manner as appointments to the district board are apportioned pursuant to KRS 220.140.
- (4) In the case of districts governed by the provisions of KRS 220.135, the county judges/executive shall exercise the powers listed in subsection (1) of this section. They shall meet jointly at least once each fiscal year to exercise these powers. Their votes shall be equally weighted. Service charges, rates, and user fees for districts with more than ten thousand (10,000) customer accounts shall be approved as set out in KRS 220.542.
- (5) Service charges, rates, and user fees in districts not governed by the provisions of KRS 220.135 or having more than ten thousand (10,000) customer accounts shall be approved as set out in KRS 220.542.

Effective: June 8, 2011

History: Amended 2011 Ky. Acts ch. 98, sec. 18, effective June 8, 2011. -- Amended 1998 Ky. Acts ch. 234, sec. 4, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 490, sec. 2, effective July 15, 1994. -- Created 1984 Ky. Acts ch. 203, sec. 1, effective July 13, 1984.