178.337 Removal of road from system -- When city streets in system.

(1) After an engineering and traffic investigation and the receipt of recommendations by the county road engineer, a county through road or a portion thereof established or maintained as provided in KRS 178.330 may be detached from the county through road system. The fiscal court or the consolidated local government shall cause the proposed deletion to be marked on a map to be deposited with county road engineer and to be open to public inspection. The same procedure set forth in KRS 178.330 for the establishment or maintenance of a county through road system shall be followed in the case of roads or portions of roads detached therefrom. Notice of the proposed deletion from the system shall conform to KRS 424.130(1)(b). The fiscal court or the consolidated local government may in its discretion detach or retain the road as a part of the county through road system. The decisions of the fiscal court or the consolidated local government made in accordance with this section shall be final. Whenever any county through road has been added or detached from the county through road system in accordance with KRS 178.330 to 178.337, the county road engineer shall accordingly amend the map of the county through road system, which map shall at all times be available for public inspection in the office of the county road engineer. Nothing herein shall be construed as automatically deleting from the county through road system any portion of the system in territory which becomes incorporated as a city or which becomes annexed to a city.

(2) Nothing in this chapter shall be construed to take from the jurisdiction or control of the legislative body of any incorporated city or consolidated local government, any road, bridge, landing, or wharf, or any other thing exclusively under the jurisdiction or control of such city or a consolidated local government. Provided, however, that roads within a city of the first through sixth classes in a county containing a city of the first class or a consolidated local government may be made a part of the county through road system, in accordance with KRS 178.330 or 178.333, or both, with the agreement of the legislative body of said city.

(3) Nothing in this chapter shall prevent any fiscal court or a consolidated local government from acquiring land by gift for public purposes.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 346, sec. 188, effective July 15, 2002. -- Amended 1978 Ky. Acts ch. 384, sec. 313, effective June 17, 1978. -- Created 1964 Ky. Acts ch. 80, sec. 3.