

#### **74.110 Change of districts -- Procedure -- Deficit.**

The territorial limits of an established water district may be enlarged or diminished in the following way:

- (1) The commission shall file a petition with the county judge/executive, describing the territory to be annexed or stricken off, and setting out the reasons therefor.
- (2) Notice of the petition shall be given in the manner provided by KRS Chapter 424. Within thirty (30) days after the notice, any resident of the water district or the territory proposed to be annexed may file objections and exceptions.
- (3) The county judge/executive shall set the matter for hearing, and if the county judge/executive finds that it is reasonably necessary, he shall enter an order annexing or striking off the proposed territory. If the county judge/executive finds that the proposed change is unnecessary, he shall dismiss the petition. Either party may appeal the order to the Circuit Court.
- (4) If any of the territory stricken off has been assessed to pay the costs of any improvements, the commission shall strike the assessments from the assessment roll and refund to the respective owners any assessments collected on the land which have been stricken off.
- (5) If a deficit is incurred by striking off part of a water district, or by striking assessments from the assessment roll, so that the assessment roll is insufficient to pay the bonded indebtedness of the district, the deficit shall be paid out of the general fund of the district, realized from all other resources in the district.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 6, sec. 8, effective July 15, 2008. -- Amended 1978 Ky. Acts ch. 384, sec. 182, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 938g-3.