

**74.440 Procedure for creation of water commission.**

- (1) Upon the adoption of an ordinance or resolution by the governing body of each city, water association, or water district, or upon a decision by a federal agency, a certified copy of it shall be filed with the county judge/executive of the county in which the cities, water associations, water districts, or federal agencies proposing the creation of the commission having the greatest aggregate population are situated; and upon the filing, the county judge/executive shall by appropriate order set a date for a public hearing on the creation of the commission and shall give reasonable notice of the public hearing, which notice may be given in the manner as provided by KRS Chapter 424. Any customer of the water systems or resident of the cities proposing the creation of the commission may file objections; and at the public hearing if the county judge/executive finds that the establishment of the commission is reasonably necessary or advantageous for the public health, convenience, and comfort of the customers of all the water systems which proposed the creation of the commission, he shall make an order establishing the commission and designating it by name which name shall include the words "water commission."
- (2) If the county judge/executive does not find that the creation of a commission is reasonably necessary or advantageous, he shall make an appropriate order in this regard. Any party in interest may appeal the order to the Circuit Court or the cities, water associations, and water districts may revise and readopt the ordinances or resolutions, or the federal agency may revise its decision.

**Effective:** June 24, 2003

**History:** Amended 2003 Ky. Acts ch. 167, sec. 3, effective June 24, 2003. -- Amended 1996 Ky. Acts ch. 122, sec. 3, effective July 15, 1996. -- Amended 1978 Ky. Acts ch. 384, sec. 192, effective June 17, 1978. -- Created 1960 Ky. Acts ch. 207, sec. 3, effective June 16, 1960.