

ORDINANCE NO. 4
2004 Series

AN ORDINANCE RELATING TO
THE CREATION OF
A SANITATION DISTRICT IN
FRANKLIN COUNTY

WHEREAS, the Franklin County Fiscal Court recognizes the need for a Sanitation District to provide for the collection and disposal of sewage and other liquid wastes in Franklin County, Kentucky so as to prevent and correct the pollution of streams and provide for the general public health, safety and welfare; and recognizes the necessity that such a special district be empowered to construct sanitation facilities conducted to the public health, safety, comfort, convenience or welfare.

WHEREAS, the Kentucky Revised Statutes Chapter 67.715 as enacted by the Kentucky General Assembly authorizes the County Judge/Executive, with the approval of the Fiscal Court, to create and establish any special district, and KRS 67.083 provides for the establishment of necessary governmental services.

WHEREAS, it is the desire of the Fiscal Court of Franklin County, Kentucky to provide for the establishment of a Sanitation District within the County.

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF FRANKLIN, COMMONWEALTH OF KENTUCKY:

In accordance with KRS Chapter 67.083 (2) and 67.083 (3) (c), (h) and (r) and KRS Chapter 67.083 (3) (c), (h) and (r) the Franklin County Fiscal Court grants its approval for the County Judge/Executive to establish a special district shall be known as the Farmdale Sanitation District.

The Farmdale Sanitation District shall be created and formed so that it shall have all powers and duties to reasonably, necessarily and effectively implement the provisions of and carry out the duties prescribed by KRS Chapter 220. The District shall be structured consistent with the provisions of KRS Chapter 220.

The Fiscal Court, Pursuant to KRS Chapter 220.035, reserves the power and authority to: review and approve, amend or disapprove proposed district land acquisitions; review and approve, amend or disapprove proposed district construction of capital improvements; review and approve, amend or disapprove proposed services charges or user fees; and review and approved, amend or disapprove proposed budget.

The District shall submit to the Fiscal Court all plans and documentation for review and approval, amendment or disapproval by tendering any such documents or plans to the Fiscal Court through the County Judge/Executive at least forty-five days prior to the proposed effective date or time for submission to any entity.

The proposed work of the District is necessary and conducive to the public health, safety, comfort, convenience and welfare. The District is established for the purposes of enumerated in KRS Chapter 220.030 which include providing for the collection and disposal of sewage and other liquid wastes produce within the district; and incident to such purposes and to enable their accomplishment, to construct, with all appurtenances thereto, laterals, truck sewers, intercepting sewers, siphons, pumping stations, treatment and disposal works, to maintain, operate and repair same, and do all other things necessary for the fulfillment of the purposes of KRS 220.010 to 220.520.

The District shall include an area in Franklin County, not to include the city of Frankfort, within and described by the following boundary:

The certain area located in Franklin County, Kentucky, containing and encompassed by the same boundary as the Farmdale Water District.

The District shall have the powers stated in KRS Chapter 220 including the power to sue and be sued, contract and be contracted with, incur liabilities and obligations, exercise the right of eminent domain, assess, tax, contract for rentals, issue bonds, and do and perform all acts necessary and proper for the carrying out for the purposes for which the District is created, and for executing the powers for which it is vested as provided in KRS Chapter 220.510.

The District shall have the power of condemnation, as provided and described in KRS Chapter 220.310; and may provide for a sewer service charge to be imposed and collected, as provided in KRS Chapter 220.510.

THIS ORDINANCE NO 4 SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

INTRODUCED, SECONDED AND GIVEN FIRST READING APPROVAL at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky held on the 15 day of January 2004.

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 6 day of February 2004, and of record in Fiscal Court Order Book 19, Page 282.



Teresa A. Barton
Franklin County Judge/Executive

ATTESTED TO:

