

104.480 Petition for district -- Signature requirements.

- (1) Before the secretary shall establish a flood control district, a petition shall be filed with the secretary, containing valid signatures of seventy percent (70%) of those in possession claiming as freeholders within the boundaries of the proposed flood control district. Each joint owner of property shall be counted as a separate freeholder.
- (2) In determining when seventy percent (70%) of the landowners have signed the petition the secretary shall consult with the landowners whose names appear upon the county tax duplicate, which for all purposes of KRS 104.450 to 104.680 shall be prima facie evidence of such ownership. The secretary shall further require evidence to determine the fact that all signatures on the petition are genuine, and a notification by ordinary mail sent to the respective addresses shown on the petition shall establish the genuineness of a signature if the petitioner so notified fails to report in writing within ten (10) days that he did not sign the petition. When authorized by ordinance, such a petition may be signed by a majority of the governing body of any municipality lying wholly or partly within the proposed district. When so signed by a majority of such governing body the petition shall fill all requirements of representation on the part of the freeholders of the municipality as they appear upon the assessment roll of the municipality, and individuals within the municipality shall not sign the petition.

Effective: July 15, 1982

History: Amended 1982 Ky. Acts ch. 217, sec. 1, effective July 15, 1982. -- Created 1950 Ky. Acts ch. 42, sec. 4.

Legislative Research Commission Note (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.