

74.400 District may acquire, develop, maintain and operate gas system -- Procedure.

- (1) Any county judge/executive, except in counties containing a city of the first class, upon petition of seventy-five (75) resident freeholders of a water district organized under the provisions of KRS 74.010, may authorize said water district to acquire, develop, maintain, and operate a system for the distribution of gas to the citizens of the county. The petition shall describe the territory intended to be included in the area to be served and shall set out the reasons a gas distribution system is needed.
- (2) When the petition is filed, the county judge/executive shall give notice of the filing by publication as provided in KRS Chapter 424. Within thirty (30) days after the publication, any resident of the district may file objections, and the county judge/executive shall set the matter for hearing within ten (10) days. If the county judge/executive finds the establishment of a gas distribution system by such district reasonably necessary for the public health, convenience, and comfort of the residents, he shall make an order authorizing the establishment or acquisition of the gas distribution system.
- (3) The county judge/executive may in his order strike off any part of the territory that the testimony shows will not be benefited by the creation of the distribution system. If the county judge/executive does not find that the gas distribution system is necessary he shall dismiss the petition. Either party may appeal the order to the Circuit Court.

Effective: June 17, 1978

History: Amended 1978 Ky. Acts ch. 384, sec. 191, effective June 17, 1978. -- Amended 1966 Ky. Acts ch. 170, sec. 3; and ch. 239, sec. 24. -- Created 1952 Ky. Acts ch. 133, secs. 1 to 3.