

**262.720 Notice -- Parties -- Hearing -- Determination -- Proposed maximum budget.**

- (1) Within thirty (30) days after such petition has been filed with the board of supervisors, it shall cause due notice to be given as provided in KRS 262.010(4) of the hearing upon the practicability and feasibility of creating such subdistrict. All interested parties shall have the right to attend such hearing and be heard. If it shall appear at the hearing that other lands should be included or that lands included in the petition should be excluded, the board of supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of KRS 262.705.
- (2) If it appears upon the hearing that it may be desirable to include within the proposed district, territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the district and a further hearing shall be held. After final hearing, if the board of supervisors determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare for such a district to function in the territory considered, it shall make and record the determination and shall define, by metes and bounds, or by recognizable terrain features and description, the boundaries of the watershed district.
- (3) If the board determines after the hearing that it is not feasible for such district to function in the territory considered, it shall make and record the determination and shall deny the petition.
- (4) If the board determines that there is a need for a conservancy district, the board of supervisors shall establish a proposed maximum budget for the maintenance of the proposed conservancy district, to be funded either by millage or flat rate sufficient to meet the budget.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 120, sec. 1, effective July 14, 2000. -- Amended 1964 Ky. Acts ch. 117, sec. 8. -- Created 1956 Ky. Acts ch. 203, sec. 5.

**Legislative Research Commission Note.** This section was repealed by 1984 Acts chapter 100, sec. 30. However, the repeal was abrogated by 1984 Acts Chapter 218, sec. 8, so the section remains in effect.