

67.855 Ordinance powers -- Conflicts.

- (1) Charter county governments may enact and enforce within their territorial limits the tax, licensing, police, sanitary, and other ordinances not in conflict with the Constitution and general statutes of this state now or hereafter enacted, required for the health, education, safety, welfare, and convenience of the inhabitants of the county and for the effective administration of the charter county government. A charter county government shall not enact any ordinance that imposes any tax or license, franchise or other fee, or requires a license, franchise, or other permission, for or with respect to the construction or maintenance of any utility equipment, facility, or apparatus along, over, under, or across the streets, alleys, or public grounds of, or the operation of any utility business within, any portion of the area of the government outside of the larger of the area within the corporate boundaries of the participating city or cities at the time of creation of the charter county government, or that part of the area of the charter county government within which the government provides at least the level of services provided by any participating city that existed prior to the creation of the charter county government.
- (2) Charter county government ordinances shall be deemed to conflict with general statutes of this state only:
 - (a) When the ordinance authorizes that which is expressly prohibited by a general statute; or
 - (b) When there is a comprehensive scheme of legislation on the same subject embodied in a general statute.
- (3) No ordinance or resolution shall be considered by the charter county government legislative body until it has been read at two (2) separate meetings. A second reading may be suspended by a two-thirds (2/3) vote of the membership of the legislative body. Requirements for reading ordinances or resolutions may be satisfied by public reading of the title and summary.
- (4) All ordinances and resolutions shall be effective upon passage, unless timely vetoed by the chief executive officer of the charter county government pursuant to the provisions of the comprehensive plan of the charter county government. Any ordinance or resolution imposing fines, forfeitures, imprisonment, taxes, or fees, other than a bond ordinance or resolution, shall be published in full in a newspaper qualified under KRS 424.120. The publication requirements for all other ordinances or resolutions, including bond ordinances or resolutions, shall be satisfied by publication in full or by publication of the title and summary.
- (5) The provisions of any local, statewide, or nationally recognized standard code and codifications of entire bodies of local legislation may be adopted by ordinance that identifies the subject matter by title, source, and date and incorporates the adopted provisions by reference without setting them out in full, if a copy accompanies the adopting ordinance and is made a part of the permanent records of the charter county government.

Effective: January 1, 2013

History: Amended 2012 Ky. Acts ch. 63, sec. 6, effective January 1, 2013. --
Created 1990 Ky. Acts ch. 401, sec. 7, effective July 13, 1990.