

### **90.310 Adoption of civil service ordinance -- Civil service commission.**

- (1) Except as provided in subsection (5) of this section, any city of the home rule class may elect to operate under KRS 90.310 to 90.410, and, by ordinance, create a civil service commission which shall hold examinations as to the qualifications of applicants for municipal employment within the several departments of the city that are designated by ordinance. In all cities of the home rule class, the city may, by ordinance, classify employees and designate the class of employees it desires to include.
- (2) The mayor, subject to the approval of the city legislative body, shall appoint at least three (3) but no more than five (5) persons who shall constitute the civil service commission of that city. Each appointee shall be at least thirty (30) years of age and not related by either blood or marriage to the mayor or any member of the city legislative body. The appointees shall originally be appointed one (1) for a term of three (3) years, one (1) for a term of two (2) years and all remaining appointments shall be for a term of one (1) year, and the successors to these appointees shall be appointed in like manner, each for a period of three (3) years and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term in the same manner as original appointments. At the time of any appointment, if the mayor elects to appoint only three (3) commissioners, not more than two (2) commissioners shall be adherents of the same political party. If the mayor elects to appoint more than three (3) commissioners not more than three (3) commissioners shall be adherents of the same political party. The appointee originally appointed for the term of three (3) years shall be secretary of the commission. Each appointee shall qualify by taking an oath of office as required by law. The salaries of the members of the commission may be fixed by the city legislative body.
- (3) If the appointing authority of any city fails to appoint a civil service commission within thirty (30) days after he has the power to so appoint or after a vacancy exists, the mayor pro tem shall make the appointment and the appointee shall hold office until the expiration of the term and until his successor is appointed and qualified.
- (4) The civil service commission shall make and enforce rules, not inconsistent with the provisions of KRS 90.310 to 90.410 or the ordinances of the city, for examinations and registrations therefor.
- (5) No city shall adopt an ordinance pursuant to this section to create a civil service commission during the months of November or December in any even-numbered year.
- (6) Any city that creates a civil service commission pursuant to this section may repeal or amend the ordinance at the discretion of the city legislative body. The city legislative body shall not repeal any provisions of the ordinance governing the maintenance of a pension fund.

**Effective:** January 1, 2015

**History:** Amended 2014 Ky. Acts ch. 92, sec. 79, effective January 1, 2015; and ch. 121, sec. 1, effective July 15, 2014. -- Amended 2000 Ky. Acts ch. 178, sec. 2, effective July 14, 2000. -- Amended 1982 Ky. Acts ch. 281, sec. 1, effective July 15, 1982. -- Amended 1968 Ky. Acts ch. 152, sec. 63. -- Amended 1946 Ky. Acts ch. 50, sec. 2. -- Repealed in part 1944 Ky. Acts ch. 107, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky.

Stat. secs. 3235h-2, 3480e-2.

**Legislative Research Commission Note** (1/1/2015). This statute was amended by 2014 Ky. Acts chs. 92 and 121, which do not appear to be in conflict and have been codified together.