

**96.045 Rights of existing facilities.**

- (1) No municipality, in which there is located an existing electric, water or gas public utility plant or facility shall construct or cause to be constructed any similar utility plant or any similar public utility facility duplicating such existing plant or facility or to obtain or acquire any similar public utility plant or facility other than by the purchase of the existing plant or facility or by the acquisition of such existing plant or facility by the exercise of the power of eminent domain.
- (2) "Municipality" means any county, city, town, village and municipal corporation of any and every class in the Commonwealth of Kentucky, and any board, commission or agency thereof.
- (3) All laws and parts of laws in conflict herewith to the extent of such conflict are repealed.

**History:** Created 1958 Ky. Acts ch. 92, secs. 1, 2, and 3.