

### **212.390 Vacancies -- Resignations.**

- (1) Any vacancy on the board occurring by reason of death, resignation, disqualification, removal, or otherwise, of any appointive member shall be filled in the same manner as the original appointment for the balance of the term of the member whose place is so vacated. The appointing authority is hereby given the exclusive power and authority to determine and declare when a vacancy exists.
- (2) Except in a county containing a consolidated local government, if said county judge/executive and said mayor fail within said thirty (30) day period to make an appointment to fill any one (1) or more of the five (5) original positions of membership on said board, then and in that event the appointment to fill any such original position shall be made by the majority vote of a board to be composed of the county judge/executive of such county, the mayor of such city, and the president of the board of tuberculosis hospital in such county and city. Thereafter, in the event said county judge/executive and said mayor fail to make an appointment to fill any vacancy on said board within thirty (30) days after such vacancy, for any reason, occurs, the board itself shall have the power and is hereby authorized to make the appointment to fill such vacancy. In a county containing a consolidated local government, the mayor shall fill a vacancy to the board no later than thirty (30) days after the occurrence of the vacancy. In the event the mayor fails to make the appointment within the thirty (30) days, the appointment shall be made by the remaining members of the board.
- (3) If the board has advance knowledge that a vacancy on the board will for any reason occur, the board shall, in advance of the occurrence of such vacancy (thirty (30) days in advance if possible) report in writing to the appointing authority the facts pertaining to such approaching vacancy. In any case where the board does not have advance knowledge of a pending vacancy, said board upon the occurrence of such vacancy shall forthwith in writing report such vacancy to the appointing authority. After said vacancy or vacancies have been so reported the procedure for filling such vacancy or vacancies shall be the same as the general procedure hereinabove set forth.
- (4) Resignation by a member of the board shall be in writing addressed and submitted to the appointing authority and a copy thereof furnished to the chairman of the board.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 206, effective July 15, 2002. -- Created 1942 Ky. Acts ch. 41, sec. 3.