83A.100 Division of city into wards or hybrid wards -- Equality of population -- Creation, alteration, or abolition of wards -- Nomination and election of legislative body members.

(1) The legislative body of a city may by ordinance divide the city into wards by either of the following methods:

(a) The city may create the same number of wards as the number of legislative body members. Wards shall be as nearly equal in population as practicable and their boundaries shall be fixed by the ordinance: or

(b) The city may establish a hybrid ward system for the conduct of its legislative body elections. A city acting under this paragraph shall provide in the ordinance that a specific number of legislative body seats shall be subject to the ward system and that a specific number of legislative body seats shall be elected at large within the entire city without representing a particular ward. The wards created under this paragraph shall be as nearly equal in population as practicable and their boundaries shall be fixed by ordinance.

(2) The populations of wards shall be reviewed as necessary to ensure that populations are as nearly equal as practicable, but the populations of wards shall be reviewed for equalization at least as often as each regular federal census.

(3) Wards may be abolished by repeal of the ordinance creating them. No creation, alteration or abolition of wards shall occur within two hundred forty (240) days preceding a regular election.

(4) If a city is divided into wards, legislative body members shall be nominated and elected in the following manner:

(a) Members shall be elected in the regular November election at large, but each candidate shall reside in the ward he seeks to represent and shall be elected in such a manner that each ward is equally represented on the legislative body. The names shall be presented in the election to show for which ward each candidate is seeking election and voters shall be instructed to "vote for one candidate in each ward." The candidate receiving the highest number of votes cast in each ward shall be deemed to be elected from such ward;

(b) Persons seeking the nomination of a political party for the office of legislative body member where a primary election is required for the political party, shall be voted upon exclusively by the eligible voters of the ward in which the person resides and seeks to represent;

(c) Except as provided by paragraph (d) of this subsection, persons seeking nomination for the office of legislative body member in a nonpartisan election where a primary is conducted pursuant to KRS 83A.170 shall be voted upon at large by the voters of the city, and the two (2) candidates receiving the highest number of votes cast in each ward shall be deemed to be nominated from that ward; and

(d) The city may provide specifically in the ordinance required by subsection (1) of this section that persons seeking nomination for the office of legislative body member in a nonpartisan primary conducted pursuant to KRS 83A.170

shall be voted upon exclusively by the eligible voters of the ward in which the person resides and seeks to represent. The two (2) candidates receiving the highest number of votes cast in each ward shall be deemed to be nominated from the ward.

(5) Any city enacting or amending an ordinance to establish or abolish wards, modify ward boundaries, or establish the manner of elections under subsection (4) of this section shall be completed within the time specified by subsection (3) of this section, and the city shall forward a copy of the ordinance to the county clerk or county clerks of the county or counties in which the city is located.

> **Effective:** July 15, 2016
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> **History:** Amended 2016 Ky. Acts ch. 22, sec. 2, effective July 15, 2016. -- Amended 2014 Ky. Acts ch. 17, sec. 3, effective July 15, 2014. -- Amended 1990 Ky. Acts ch. 366, sec. 6, effective July 13, 1990. -- Amended 1982 Ky. Acts ch. 360, sec. 22, effective July 15, 1982; and ch. 434, sec. 9, effective July 15, 1982. -- Created 1980 Ky. Acts ch. 235, sec. 10, effective July 15, 1980.