

**83A.160 Change in form of government permitted by popular vote only.**

- (1) Any city may become organized and governed under the mayor-council plan, the commission plan or the city manager plan only by popular vote in accordance with KRS 83A.120.
- (2) If a majority of the votes cast are in favor of changing the organization and government of the city, the corporate entity of the city shall remain the same as it was before the change. All laws applicable to and governing cities and not inconsistent with the newly adopted plan shall continue to apply to and govern each city that so changes its plan. All city ordinances, resolutions and orders in force in any such city and not inconsistent with the newly adopted plan shall continue in force until amended or repealed in the manner provided in the new plan.
- (3) Upon the expiration of the terms of the existing legislative body members, or if terms are staggered, when the terms of a sufficient number of members have expired to achieve a correct number of members remaining, or upon election of a sufficient number of additional members at the next regular election to achieve a correct number of members, the city shall be organized and governed under the newly adopted plan as provided in this chapter and shall take action necessary to be in compliance with this chapter. In no event shall a city not be in compliance two (2) years after the adoption of the new plan by the voters.
- (4) Failure on the part of any ministerial officer to perform the duties required of him by this section shall not prevent the change of the plan of organization and government of the city.
- (5) No city which changes the plan under which it is organized and governed under this section shall again change the plan sooner than five (5) years from the effective date of the last change.
- (6) Any city with the largest population located in a county with a population equal to or greater than two hundred fifty thousand (250,000) based upon the most recent federal decennial census may elect to become organized and governed under the mayor-alderman plan of government provided in KRS 83.410 to 83.660 by popular vote in accordance with KRS 83A.120. The process for the adoption of the mayor-alderman plan of government shall be governed by subsections (2) to (5) of this section.

**Effective:** January 1, 2015

**History:** Amended 2014 Ky. Acts ch. 92, sec. 7, effective January 1, 2015. -- Created 1980 Ky. Acts ch. 235, sec. 16, effective July 15, 1980.