

ORDINANCE NO. 2009- 5-7562

**AN ORDINANCE BY THE CITY OF PADUCAH, KY,
ADOPTED WITH THE INTENT TO COMPLY WITH THE
PROVISIONS OF KRS 67.825, ET SEQ., AND IN
CONJUNCTION WITH THE PROCESS PREVIOUSLY
INITIATED BY THE MCCRACKEN FISCAL COURT, FOR
THE ESTABLISHMENT OF A JOINT CONSOLIDATION
STUDY COMMISSION TO STUDY THE FEASIBILITY OF
MERGING THE UNITS OF THE CITY AND COUNTY
GOVERNMENTS INTO A CHARTER COUNTY FORM OF
GOVERNMENT**

ADOPTED

WHEREAS, pursuant to the provisions of KRS 67.825, the citizens of any county may vote to merge all units of city and county government into a charter county form of government; and

WHEREAS, KRS 67.830 provides that the fiscal court in any county and a majority of all cities within the county may adopt an ordinance appointing a Joint Consolidation Study Commission to study the question of forming a charter county form of government; and

WHEREAS, the McCracken Fiscal Court, on January 26, 2009, adopted an ordinance approving the creation of a Joint Consolidation Study Commission to study the question of forming a charter county form of government, pursuant to KRS 67.825-67.875; and

WHEREAS, the City of Paducah (being the only city within McCracken County of a particular classification) with the intent of complying with the provisions of KRS 67.825, *et seq.*, and with the intent of following the process for creation of a Joint Consolidation Study Commission to study the question of forming a charter county form of government previously initiated by the McCracken Fiscal Court.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PADUCAH, KENTUCKY, AS FOLLOWS:

Section 1. Establishment of Joint Consolidation Study Commission:

The City of Paducah, in conjunction with the McCracken Fiscal Court, hereby establishes a Joint Consolidation Study Commission to study the question of the adoption of a charter county form of government. This commission shall be hereafter known as the "Joint Consolidation Study Commission."

Section 2. Appointment of Members:

Consistent with the provisions of KRS 67.830, the fiscal court has determined that the size of membership of the Joint Consolidation Study Commission shall be twenty-one (21) members. Because the City of Paducah is the only city in McCracken County with a particular classification, the number of appointments made by the city to the Joint Consolidation Study Commission shall be eight (8) members pursuant to KRS 67.830(3)(d). The remainder of the members shall be appointments made by the county. The county judge/executive shall serve as a voting member of the Joint Consolidation Study Commission and preside as its chairman. The Joint Consolidation Study Commission shall be appointed within sixty (60) days of the adoption of this ordinance pursuant to KRS 67.830(1).

Section 3. Ordinance to be Filed Following Adoption

The City Clerk of the City of Paducah shall cause a copy of this ordinance to be filed with the McCracken County Clerk's Office and the McCracken County Judge Executive's Office.

Section 4. Funding for Joint Consolidation Commission:

Pursuant to KRS 67.830(4), the Joint Consolidation Study Commission shall be funded by the McCracken Fiscal Court and the City of Paducah based upon each entity's ratio of membership on the Joint Consolidation Study Commission.

Section 5. Responsibilities of the Joint Consolidation Study Commission:

Pursuant to KRS 67.830(4), the Joint Consolidation Study Commission shall be responsible for developing a comprehensive plan for the formation of a charter county government that shall include but not be limited to the following provisions:

- (a) A description of the form, structure, functions, powers, and name of the proposed charter county government;
- (b) A description of the officers and their powers and duties of the proposed charter county government;
- (c) The procedures by which the original comprehensive plan may be amended; and
- (d) Take such other steps as may be contemplated by KRS 67.830, or otherwise permitted by law.

Section 6. Adoption of Comprehensive Plan:

The comprehensive plan developed by the Joint Consolidation Study Commission shall be consistent with the provisions of the Constitution of the Commonwealth of Kentucky and shall be advertised at least ninety (90) days before a regular election at which the voters will be asked to approve or disapprove the adoption of the comprehensive plan. The question of whether the

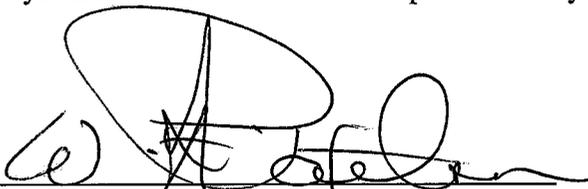
comprehensive plan shall be adopted must be filed with the McCracken County Clerk not later than the second Tuesday in August preceding the day of the next regular election.

Section 7. Organization of the Adopted Charter County:

Following the vote for adoption of the comprehensive plan for adoption of a charter county government, the votes shall be counted, returns made canvassed in accordance with the provisions of KRS Chapters 116 and 121 governing elections, and the results shall be certified by the county board of election commissioners to the McCracken County Clerk. If a majority of those voting on the issue are in favor of adopting the comprehensive plan, the county board of election commissioners shall enter the fact of record and the Joint Consolidation Study Commission shall organize the charter county government or the county shall provide for the consolidation of services or functions as provided in the comprehensive plan, and otherwise permitted by law.

Section 8. Effective Date:

This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.


WILLIAM PAXTON, MAYOR

ATTEST:


City Clerk

Introduced by the Board of Commissioners, May 12, 2009
Adopted by the Board of Commissioners, May 26, 2009
Recorded by Tammara S. Brock, City Clerk, May 26, 2009
Published by *The Paducah Sun*, June 2, 2009
Recorded by County Clerk, June 12, 2009.
Lodged with the County Judge/Executive, June 24, 2009.

RECEIVED

JUN 24 2009

COUNTY JUDGE EXECUTIVE

STATE OF KENTUCKY } SCT.
COUNTY OF McCracken

word\city county charter committee study

I, Jeff Jerrell, Clerk of the County Court for the County and State aforesaid, do certify that the foregoing instrument of writing was lodged for record on the 10 day of June 2009 at 9:00 M. o'clock, and I have recorded the same together with this and the foregoing certificate in my office in 000 Book No. 1108 Page No. 564
Given under my hand this 10 day of June 2009
JEFF JERRELL, CLERK
By Christy Clark D.C.