

ORDINANCE NO. 95-013

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY, APPROVING THE ANNEXATION OF THE INCORPORATED AREA OF THE CITY OF UNION, KENTUCKY, INTO SANITATION DISTRICT NO. 1 OF CAMPBELL AND KENTON COUNTIES, KENTUCKY; AND REQUESTING THAT THE COMMISSIONER OF SANITATION DISTRICTS ACCEPT THE INCLUSION OF THE CITY OF UNION, KENTUCKY WITHIN THE BOUNDARIES OF THE TERRITORY TO BE ANNEXED BY SANITATION DISTRICT NO. 1 OF CAMPBELL AND KENTON COUNTIES, KENTUCKY.

WHEREAS, the Boone County Water and Sewer District ("Boone District"), the County of Boone, Kentucky (the "County"), and Sanitation District No. 1 of Campbell and Kenton Counties, Kentucky (the "District") have entered into an Agreement dated June 29, 1995, whereby Boone District will transfer its sewer system facilities and jurisdiction over such facilities to the County and the District; and

WHEREAS, a portion of said sewer system is located in the incorporated territory of the City of Union (the "City") and provides sewer service to the citizens of the City; and

WHEREAS, in order for the District to operate said sewer system in the incorporated territory of the City and to continue sewer service to its citizens and property owners it is necessary that the District annex such incorporated area to be a part of the District; and

WHEREAS, the District intends to file a Petition for Annexation of Territory to the District (the "Petition") with the Commissioner of Sanitation Districts, being the Secretary of the Natural Resources and Environmental Protection Cabinet (the "Commissioner"), requesting approval of the annexation of the incorporated territory of the City into the District; and

WHEREAS, the City Council of the City must approve the annexation by Ordinance, as provided in KRS 220.536(2); and

WHEREAS, the City Council of the City has determined that it is in the best interests of the citizens and property owners of the City, in order to provide for the public safety, comfort, convenience and welfare of the citizens of the City, to approve the annexation;

NOW, THEREFORE, BE IT ORDAINED by the City of Union, Kentucky, as follows:

Section 1- Findings of Fact. The City Council hereby finds and determines the facts and recitals set forth in the preambles hereto.

Section 2 - Approval. The City Council hereby approves the annexation by the District of all of the incorporated territory of the City, as prescribed by KRS 220.536(2), subject to the terms of the Agreement between Boone District, the County, and the District dated as of June 29, 1995.

Section 3 - Notice. The City Council of the City hereby requests that the Commissioner accept the annexation of the incorporated territory of the City to the District, as stated herein and in the Petition, and furthermore requests that the Commissioner provide notice of the annexation forthwith as provided in KRS 220.536(3).

Section 4. - Severability. If any one or more of the provisions of this Ordinance should be determined by a court of competent jurisdiction to be contrary to law then such provisions shall be deemed to be severable from all remaining provisions and shall not affect the validity of such other provisions.

Section 5 - Inconsistent Actions. All prior ordinances, resolutions, or parts thereof inconsistent herewith are hereby repealed.

Section 6 - Effective Date. This Ordinance shall become effective immediately upon adoption and publication of a summary thereof, as provided by law.

DULY ADOPTED, after first reading held on 10/9, 1995, at a properly constituted meeting of the City Council of the City held on the date set forth below.

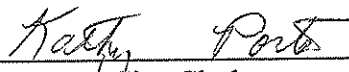
CITY OF UNION, KENTUCKY

Dated: 10/16, 1995



Mayor

Attest:



City Clerk