



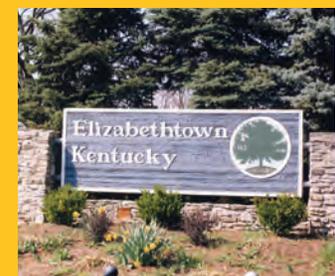
Kentucky League of Cities

# KLC RESEARCH REPORT:

## CLASSIFICATION OF CITIES

Revised February 2014

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# CLASSIFICATION OF CITIES

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Cities in Kentucky are classified by population for legislative purposes. This report presents the historical background for classification of cities, the current classification system, a breakdown of the number of cities and population within each class, and the procedure for reclassification of Kentucky cities. The report additionally includes general laws relating to cities by class, current issues related to classification and a review of classification of cities in other states.

## ***FAST FACTS***

- The 1891 Constitution abolished special legislation, but it created a classification system for cities.
- Six classes were created based solely on population.
- One-third (33 percent) of all Kentucky cities are not in the appropriate classification based on population standards.
- Population requirements were repealed in 1994, but the General Assembly has not yet created a new classification system.
- Hundreds of classification-related laws affect public safety, alcohol beverage control, revenue options and others, many of which are interconnected.
- Most classification structures in other states are based on population, but some relate to service provision, charters, home rule authority, tax effort and other factors.

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*February 2014*

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# CONSTITUTIONAL & STATUTORY BASIS

## History of Classification of Cities in Kentucky

Prior to adoption of the current Kentucky Constitution in 1891, cities were granted individual charters, thus making it necessary for each city to come before the legislature to request grants of individual authority to perform specific duties and functions within their own communities. The system led to a backlash against “special legislation.” A new Constitution was adopted by Kentucky voters in 1891 that abolished “special legislation.”

Section 59 of the Constitution prohibits the General Assembly from passing local or separate acts concerning a list of subjects enumerated in the section. Section 60, likewise, prohibits special and local legislation. These sections were included in the Constitution for the purpose of prohibiting the legislature from enacting laws that affected one or more persons or entities differently than other persons or entities identically or similarly situated. Most state constitutions have provisions similar to Sections 59 and 60.

At the same time Sections 59 and 60 were added to the Kentucky Constitution, the framers recognized there might be a need to give specific authority to different city governments to address dissimilar issues that could not be accomplished by enactment of a general law. Thus, the population-based classification system was adopted as Section 156 in the 1891 Kentucky Constitution to provide a partial exception to the ban on local and special legislation. Section 156 established six classes of cities based solely on population as shown to the right.

Classification	Population Requirements
First	100,000 or more
Second	20,000 to 99,999
Third	8,000 to 19,999
Fourth	3,000 to 7,999
Fifth	1,000 to 2,999
Sixth	Less than 1,000

Enabling legislation was subsequently enacted to classify each Kentucky city by population, though it was repealed in 1980.

## Repeal of Kentucky Constitution Section 156

Over the years, the population-based classification system has proven inadequate due to variations within classes relating to such factors as tax base, form of government and geography. In order to provide more flexibility to lawmakers, Section 156 of the Constitution was repealed in 1994 and was replaced by Section 156a to authorize the General Assembly to create classifications of cities as it deems necessary based on population, tax base, form of government, geography or any other reasonable basis. The General Assembly has not yet acted to change the population-based classification system that has been in place since 1891. Until it does, Kentucky cities remain classified based solely on population.

Kentucky courts have recognized that the city classification system constitutes an exception to the ban on special and local legislation contained in Sections 59 and 60 of the Kentucky Constitution. Consequently, the General Assembly is free to treat the classes of cities differently in terms of legislation it enacts.

**WANT MORE INFO?**  
Please see Appendix 1 for the applicable constitutional provisions.

# USE OF CLASSIFICATION BY POPULATION

## Purposes

1. To provide powers as appropriate to cities of a certain size.

The laws applicable to cities of a certain class can be viewed as general laws, but are applicable to a few cities rather than to all cities.

2. To bring cities under a law as they reach the threshold population.

Statutes enacted to apply to cities of a certain class can require cities of the class to do certain things or provide certain services related to needs of the class.

3. To describe the area in which something may or may not be done.

Classification may be used to permit certain activities such as the sale of alcoholic beverages or to restrict certain activities such as the type of taxes that can be imposed.

## Issues

The population-based classification system has long been determined to be inadequate because of variations within classes relating to such factors as tax base, form of government and geography. Problems with the current classification system have resulted in reclassification of some cities to a class higher than permitted based on population alone. Other cities fail to seek reclassification as their population grows or shrinks. Therefore, one-third of all Kentucky cities are currently not in the appropriate class according to the population-based classification system created by Section 156 of the Constitution.

### ***FAST FACTS***

- A constitutional amendment passed in 1994 charging the General Assembly to develop a new classification based on population, tax base, form of government, geography or any other reasonable basis.
- The General Assembly has not yet created a new classification system, so the population-based guidelines are still loosely used.
- One-third of all cities are not in the appropriate class according to the previous population standards.

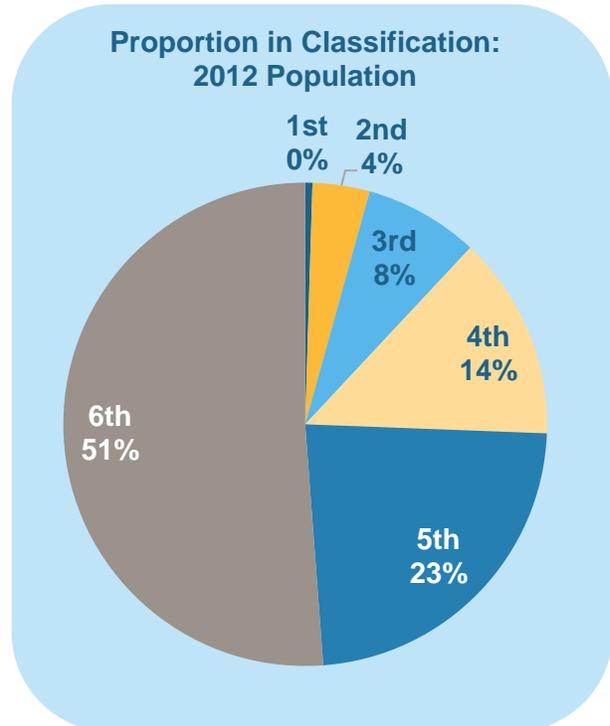
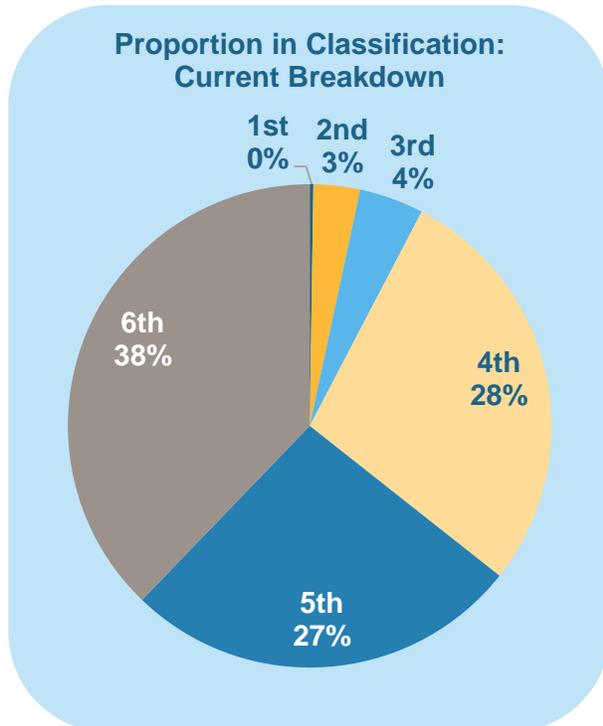
## CITIES IN EACH CLASSIFICATION

Effective June 25, 2013, Kentucky has one first class city, 13 second class cities, 18 third class cities, 117 fourth class cities, 111 fifth class cities and 158 sixth class cities, as designated by the General Assembly in KRS 81.010.

Louisville retains the powers of a first class city even though Louisville and Jefferson County became a consolidated local government in 2003. Lexington retains the powers of a second class city even though Lexington and Fayette County became an urban county government in 1974. Therefore, they are included in these respective classes below.

The table and chart below show the current number of cities in each classification as well as the total number that should be in each class based solely on their 2012 Census population estimate.

Classification	Population Requirements	Current Number in Classification	Number of Cities by 2012 Population
First	100,000 or more	1	2
Second	20,000 to 99,999	13	16
Third	8,000 to 19,999	18	32
Fourth	3,000 to 7,999	117	57
Fifth	1,000 to 2,999	111	97
Sixth	Less than 1,000	158	214
<b>Totals:</b>		<b>418</b>	<b>418</b>



# PROCEDURE FOR RECLASSIFICATION

The requirements for reclassifying a city are contained in KRS 81.025 to KRS 81.036. These statutes have not been changed since the adoption of the new constitutional language in Section 156a regarding city classification. Consequently, they continue to refer to the classification and reclassification of cities based solely on population.

## Requirements for Reclassification

KRS 81.032 establishes the following requirements that must be met before a city can be reclassified by the General Assembly:

1. The legislative body of the city must provide the required population data to the General Assembly by certified resolution.
2. The city must have attained the population required for the new class by the former Section 156 of the Kentucky Constitution.
3. The population data must be based on the most recent estimate provided by the U.S. Bureau of the Census (i.e. the decennial Census or an official update). However, if recent growth in a city makes the most recent Census data invalid, the city must submit an affidavit to certify new growth. The affidavit must be supported by documentation that may include data from the county property valuation administrator, door-to-door population counts and annexation records.

KRS 81.034 states that the data supplied by the city must be recorded, along with the summary of the legislation, in the official record of the General Assembly (i.e. the *Legislative Record*).

## Effect of Reclassification

According to KRS 81.026, when a city is reclassified all laws relating to the new class become effective. All ordinances enacted prior to reclassification remain in effect unless they conflict with state laws relating to the new class, in which case they are repealed by operation of law.

## Recording of Reclassification

When a city is reclassified, KRS 81.036 requires the General Assembly to send the Secretary of State notice of the reclassification and a copy of the data supporting the reclassification.

### ***WANT MORE INFO?***

Please see Appendix 2 for the statutes governing reclassification.  
Please see Appendix 3 for a list of all Kentucky cities by classification.  
Please see Appendix 4 for a list of all reclassification attempts since 2000.

## GENERAL LAWS RELATING TO CLASS

In 1994 the Kentucky General Assembly directed the Legislative Research Commission, pursuant to House Concurrent Resolution 47, to study the statutory differences that exist among the classifications of Kentucky cities in anticipation of the adoption of the constitutional amendment repealing Section 156 of the Constitution and creating Section 156a. The constitutional amendment was ratified in November 1994. The Legislative Research Commission report was published in May 1996 as Memorandum No. 472.

The report included a compilation of Kentucky Revised Statutes that affect cities by class. The published report listed 357 statutes applicable to cities of the first class, 85 statutes applicable to cities of the second class, 43 statutes applicable to cities of the third class, 29 statutes applicable to cities of the fourth class, seven statutes applicable to cities of the fifth class and 15 statutes applicable to cities of the sixth class.

Selected laws affecting cities by class	1st	2nd	3rd	4th	5th	6th
Occupational license fee as a percent (earnings/profit)	x	x	x	x	x	
Restaurant tax				x	x	
Mandatory police and fire departments		x	x			
Mandatory public safety collective bargaining	x	<sup>1</sup>				
Firefighter work schedule	x	x				
Police work schedule		x	x			
Police department countywide jurisdiction	x	x	x	x	x	
Police force merit system	x					
Police and firefighter disciplinary procedure		x	x			
Civil service	x	<sup>2</sup>	<sup>2</sup>	<sup>2</sup>	<sup>2</sup>	
Local option elections for alcohol sales	x	x	x	x		
Alcohol gross receipts tax		<sup>3</sup>	x	x		
Liquor-by-the-drink ordinance				x		
Planning and zoning preemption					<sup>4</sup>	<sup>4</sup>
Nuisance code enforcement in KRS 82.700-82.725	x	x	x	x		
Community improvement district	x	x	x	x		
Local development authority	x	x				

**Notes:**

<sup>1</sup> Lexington has mandatory collective bargaining with public safety officers as an urban county government.

<sup>2</sup> It is not mandatory.

<sup>3</sup> It is allowed in second class cities that meet complex criteria.

<sup>4</sup> Only fifth and sixth class cities located in a consolidated local government are preempted.

# GENERAL LAWS RELATING TO CLASS

The large number and variety of statutes serve as a continuing source of confusion for Kentucky city officials. The statutes contribute to manipulation of the classification system by cities that desire a particular power or want to avoid a specific mandate. A breakdown of most of the current major laws that vary by classification is listed to the left. A summary of each of those laws follows.

## Occupational License Fee as a Percent (Earnings/Profit)

All cities are allowed to levy an occupational license fee/tax for the privilege of working in or conducting a business within the city. This general revenue measure may be imposed as a percentage of gross earnings (payroll), gross receipts or net profits in cities of the first through fifth classes. Sixth class cities are prohibited from imposing an occupational or business license fee measured as a percentage of gross earnings (payroll) or net profits, so any fee imposed by a sixth class must be based on a flat annual rate.

## Restaurant Tax

Cities of the fourth and fifth classes that have established a tourist and convention commission may levy a restaurant tax not to exceed three percent (3%) of gross retail sales of restaurants within the city to fund the commission. A consolidated local government is authorized to impose a gross receipts restaurant tax for one-fourth of one percent (0.25%) to fund operating costs of a multipurpose arena.

## Mandatory Police and Fire Departments

Police and fire departments are mandatory in second and third class cities as well as urban county governments. All other cities may choose to create a police and/or fire department.

## Mandatory Public Safety Collective Bargaining

Cities of the first class and urban county governments are required to collectively bargain with their public safety officers. All other cities may voluntarily recognize unions for any class of employees because of their home rule authority. Bills have been filed in recent legislative sessions to mandate collective bargaining with public safety officers in cities of the second and third classes, though none advanced.

### WANT MORE INFO?

Statutes listed in Legislative Research Commission Memorandum No. 472 are included with this report as Appendix 5. This illustrates the large number of statutes relating to cities by class and the potential complexity of any effort to alter the current classification system. Because the LRC report is several years old, some of the statutes listed may no longer be current.

### FAST FACTS

- Current laws typically limit the options of smaller cities while adding mandates to larger cities.
- Some major revenue options are limited to certain classes, such as the restaurant tax (fourth and fifth classes only) and the occupational license tax as a percent of earnings or profit (all but sixth class).
- Most cities want to be a fourth class city due to the balance of options and mandates.

# GENERAL LAWS RELATING TO CLASS

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## **Firefighter Work Schedule**

Firefighters in urban county governments, consolidated local governments and cities of the second class are required to work 24 hours on duty followed by 48 hours off duty, except in the cases of dire emergency.

## **Police Work Schedule**

In urban county governments and second class cities, members of the police department shall not be required to work more than (1) eight hours per day for five days each week or (2) 10 hours per day for four days each week, except in the event of an emergency. Each member of the police department shall have an annual leave of 15 working days with full pay. In third class cities, members of the police department shall not be required to work more than eight hours per day for five days each week. Each member of the police department shall also have an annual leave of 15 working days with full pay.

## **Police Department Countywide Jurisdiction**

Certified police officers in cities of the first through fifth classes have full police powers throughout the county in which the city is located. Certified police officers in sixth class cities only have police powers within their city limits.

## **Police Force Merit System**

Consolidated local governments must create a police merit system and police merit system board to govern the classification, qualification, examination, appointment, probation, promotion, demotion, suspension and other disciplinary action within the consolidated local government police force of all officers affected and covered by the merit system. The board shall hold hearings and impose, if necessary, penalties upon the personnel involved.

## **Police and Firefighter Disciplinary Procedure**

Under KRS 95, no member of the police and fire department in cities of the second and third classes and urban county governments shall be reprimanded, dismissed, suspended or reduced in grade or pay for any reason except inefficiency, misconduct, insubordination or violation of law or of the rules adopted by the city's legislative body. Charges must be preferred and a hearing held before the legislative body. A member may be suspended from duty and pay pending a hearing if there is probable cause to believe he has been guilty of misconduct justifying dismissal or punishment. Similar requirements apply to fourth and fifth class cities only if they have adopted civil service (see below). Any city that receives funding through the Kentucky Law Enforcement Foundation Program Fund (KLEFPF) is subject to the discipline provisions found under KRS 15.520.

# GENERAL LAWS RELATING TO CLASS

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## **Civil Service**

Civil service is mandatory for first class city employees. It is not mandatory for cities of the second through fifth classes, but these cities do have the option to adopt the system. Sixth class cities may not adopt civil service. This system addresses the dismissal and reprimands of city employees.

## **Local Option Elections for Alcohol Sales**

Cities of the first through fourth classes can have local option elections to approve alcohol sales within their community, even if they are located in a dry county. Cities of the fifth and sixth classes are prohibited from holding a local option election for alcohol sales.

## **Alcohol Gross Receipts Tax**

Third and fourth class cities in which alcohol sales are permitted are authorized to impose a regulatory license fee on the gross receipts of each establishment selling alcoholic beverages within their city. The license fee offsets estimated costs of additional policing, regulatory or administrative expenses related to the sale of alcoholic beverages in the city. A second class city that meets complex criteria may also levy a gross receipts tax on the sale of alcoholic beverages.

## **Liquor-by-the-Drink Ordinance**

Cities of the fourth class in which prohibition is not in effect may pass an ordinance declaring an “economic hardship” and authorizing hotels, motels and restaurants with 50 percent of gross receipts from the sale of food and dining facilities for at least 100 persons at tables to sell distilled spirits and wine by the drink for consumption on the premises.

## **Planning and Zoning Preemption**

In counties containing a city of the first class or a consolidated local government, all legislation implementing or amending the comprehensive plan or amended plan which affects cities of the first through fourth classes shall be enacted by such cities. All other legislation implementing the plan or amended plan shall be enacted by the fiscal court or, in the case of a consolidated local government, by the consolidated local government.

## **Nuisance code enforcement**

First through fourth class cities may abate nuisances through the scheme outlined in KRS 82.700-82.725 using violations and penalties set out in the city’s code of ordinances. Enforcement is done through the city’s nuisance code enforcement board. All cities, including fifth and sixth classes, can use the procedures available under KRS 381.770 in regards to abatement of nuisances.

# GENERAL LAWS RELATING CLASS

## Community Improvement District

In counties containing a city of the first, second, third or fourth class, a community improvement district may be created as provided in KRS 65.182 for the purpose of erecting buildings and related facilities for any governmental unit, or combination of governmental units, in the county.

## Local Development Authority

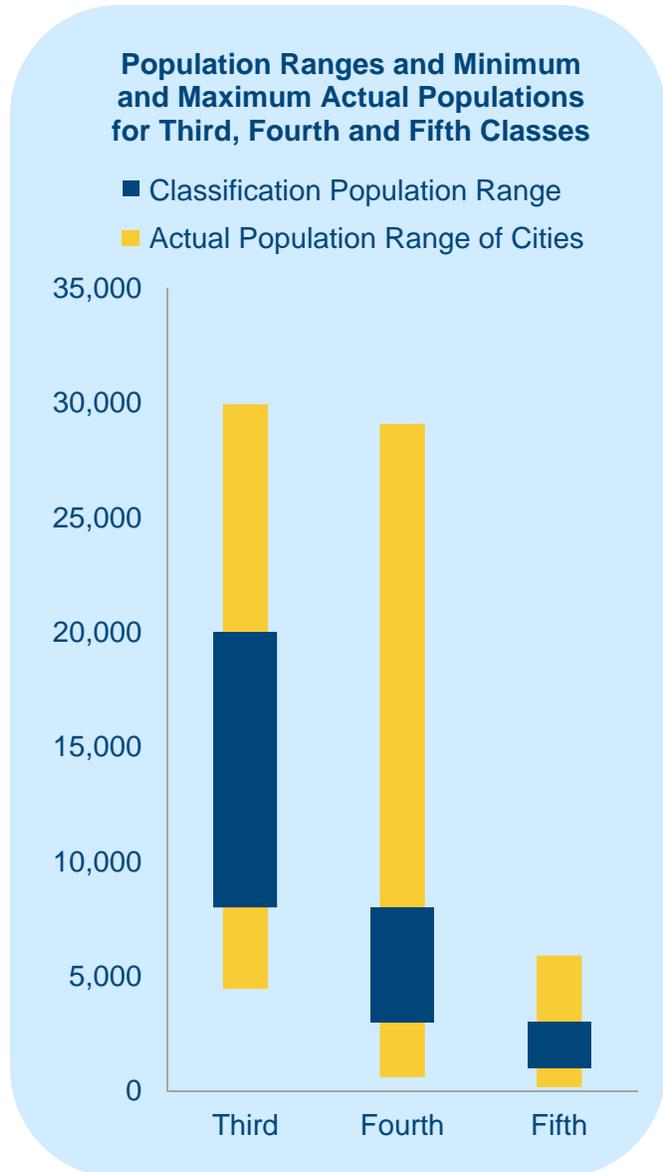
Local development authorities may be created to assist in the preservation and revitalization of historically or economically significant local areas, including open spaces, in cities of the first and second classes and urban county governments. These entities plan and finance the preservation and revitalization of areas that are of economic or historical significance, while at the same time accommodating necessary and desirable central city and suburban growth, to the extent funds are available for the accomplishment of such purposes.

## Alcohol License Fees

The General Assembly amended state statutes in 2013 to eliminate all fees based on city classification. Only cities of the first through fourth classes may prohibit or limit the hours and times in which the sale of distilled spirits and wine may be sold within their boundaries during the hours polls are open during an election.

## County Powers

A number of other laws dictate what county governments can do based on what classification of city is in their boundaries. Some of those include the bond amount for county clerks and property valuation administrators, road maintenance, alcohol regulation and more.



## FORM AS A CLASSIFICATION MODEL

A review of statutes pertaining to classification of cities in other states indicates three primary approaches to classification. Almost 20 percent of states have no classification system. In those states the legislature enumerates the powers of municipalities uniformly among all cities. In other states the state Constitution grants the legislature the power to create classes of cities, but the legislatures have created only one class.

Most of the states that have classification systems base class on population and/or form of government. In fact, 15 states classify municipalities by population only, while 14 use form only. Eleven states classify their municipalities by a combination of form and population. Thirty-four states allow one or more municipalities to have individual charters that outline many of their powers and restrictions separate from state law.

Type of Classification of Municipalities	Number of States
Form only	14
Population only	15
Form and population	11
No classes	9
No municipalities	1

### Form Instead of Population

To some degree, Kentucky already has the beginnings of a classification system based on form of government. Many laws relate to only consolidated local governments (Louisville Metro) or urban county governments (Lexington/Fayette). Moving entirely to this system would base classification on what form – mayor-council, city manager, commission, unified local government, etc. – under which each city operates. Changes in class would be up to the city and a public vote.

Pros of Moving to Classification by Form Only	Cons of Moving to Classification by Form Only
<p><b>More home rule</b> Cities and their residents would be required to vote on a form change, like current law.</p>	<p><b>More difficult to change</b> A local ballot initiative would take longer and be more involved than a legislative change.</p>
<p><b>Fewer laws involved</b> The legislature would not need to amend over 100 laws relating exclusively to consolidated local governments and urban county governments.</p>	<p><b>More layers possible</b> This change may lead to more piecemeal de facto classifications where certain population ranges are still carved out in specific laws.</p>
<p><b>More equitable</b> The law would essentially treat all cities the same regardless of size.</p>	<p><b>Harder to compare cities</b> The form of government of cities currently varies regardless of size.</p>

## CONCLUSION

Kentucky cities have been operating under the same classification system for over a century. Although the specific population requirements outlined in the Kentucky Constitution were repealed in 1994, the General Assembly has not yet created a new classification system. However, they have managed to pass over 400 classification-related laws that affect public safety, alcoholic beverage control, revenue options and others. These laws can have the effect of creating both incentives and disincentives to change designation when a city's population qualifies it for a different class. This likely explains why 33 percent of Kentucky cities – based on 2012 Census estimates – are in the wrong classification.

The sheer number of laws associated with classification also will significantly challenge any efforts to develop a new classification system. Although, as the General Assembly proceeds to reclassify Kentucky cities, all statutes and powers must be on the table. Simplification and fairness within the confusing and intricate statutes that govern the various classes must be the top priorities for the legislature in this process.

### WANT MORE INFO?

Please see the following appendices for constitutional and statutory provisions, a list of cities by classification and a list of reclassification attempts since 2000.

Visit [www.klc.org](http://www.klc.org) and enter "classification" in the search bar to access more classification-related resources.

***Editor's Note:*** *The Kentucky League of Cities Board of Directors voted in the summer of 2013 to seek legislation to reduce the number of city classes and base a new system of classification on the form of city government. Below is an excerpt from the 2014 KLC Legislative Agenda:*

### LEGISLATIVE PRIORITY

**KLC will seek legislation to create a new classification system based upon form of government. The proposal would result in a reduction in the number of city classes and would largely eliminate arbitrary and illogical distinctions between classes.** This would reduce mandates and provide similar types of flexibility to all cities for self-governance.

The new classification system will provide for only three classes of cities. It will maintain the current first class city laws for Louisville to use as a consolidated local government. The second class of cities will include those cities organized under the city manager form of government and the third class will include those cities operating under the mayor-council and commission forms of government. In addition, the proposal will eliminate the need for the General Assembly to enact classification legislation for each city. Instead, a city would be automatically reclassified based upon a change in the form of government, which is required to be approved by the voters of the city.

# 1. CONSTITUTIONAL PROVISIONS RELATING TO CLASSIFICATION

## Kentucky Constitution Section 59

### **Local and special legislation.**

The General Assembly shall not pass local or special acts concerning any of the following subjects, or for any of the following purposes, namely:

First: To regulate the jurisdiction, or the practice, or the circuits of the courts of justice, or the rights, powers, duties or compensation of the officers thereof; but the practice in circuit courts in continuous session may, by a general law, be made different from the practice of circuit courts held in terms.

Second: To regulate the summoning, impaneling or compensation of grand or petit jurors.

Third: To provide for changes of venue in civil or criminal causes.

Fourth: To regulate the punishment of crimes and misdemeanors, or to remit fines, penalties or forfeitures.

Fifth: To regulate the limitation of civil or criminal causes.

Sixth: To affect the estate of cestuis que trust, decedents, infants or other persons under disabilities, or to authorize any such persons to sell, lease, encumber or dispose of their property.

Seventh: To declare any person of age, or to relieve an infant or feme covert of disability, or to enable him to do acts allowed only to adults not under disabilities.

Eighth: To change the law of descent, distribution or succession.

Ninth: To authorize the adoption or legitimation of children.

Tenth: To grant divorces.

Eleventh: To change the names of persons.

Twelfth: To give effect to invalid deeds, wills or other instruments.

Thirteenth: To legalize, except as against the Commonwealth, the unauthorized or invalid act of any officer or public agent of the Commonwealth, or of any city, county or municipality thereof.

Fourteenth: To refund money legally paid into the State Treasury.

Fifteenth: To authorize or to regulate the levy, the assessment or the collection of taxes, or to give any indulgence or discharge to any assessor or collector of taxes, or to his sureties.

# 1. CONSTITUTIONAL PROVISIONS RELATING TO CLASSIFICATION

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Sixteenth: To authorize the opening, altering, maintaining or vacating of roads, highways, streets, alleys, town plats, cemeteries, graveyards, or public grounds not owned by the Commonwealth.

Seventeenth: To grant a charter to any corporation, or to amend the charter of any existing corporation; to license companies or persons to own or operate ferries, bridges, roads or turnpikes; to declare streams navigable, or to authorize the construction of booms or dams therein, or to remove obstructions therefrom; to affect toll gates or to regulate tolls; to regulate fencing or the running at large of stock.

Eighteenth: To create, increase or decrease fees, percentages or allowances to public officers, or to extend the time for the collection thereof, or to authorize officers to appoint deputies.

Nineteenth: To give any person or corporation the right to lay a railroad track or tramway, or to amend existing charters for such purposes.

Twentieth: To provide for conducting elections, or for designating the places of voting, or changing the boundaries of wards, precincts or districts, except when new counties may be created.

Twenty-first: To regulate the rate of interest.

Twenty-second: To authorize the creation, extension, enforcement, impairment or release of liens.

Twenty-third: To provide for the protection of game and fish.

Twenty-fourth: To regulate labor, trade, mining or manufacturing.

Twenty-fifth: To provide for the management of common schools.

Twenty-sixth: To locate or change a county seat.

Twenty-seventh: To provide a means of taking the sense of the people of any city, town, district, precinct or county, whether they wish to authorize, regulate or prohibit therein the sale of vinous, spirituous or malt liquors, or alter the liquor laws.

Twenty-eighth: Restoring to citizenship persons convicted of infamous crimes.

Twenty-ninth: In all other cases where a general law can be made applicable, no special law shall be enacted.

***Text as Ratified on: August 3, 1891, and revised September 28, 1891.***

***History: Not yet amended.***

# 1. CONSTITUTIONAL PROVISIONS RELATING TO CLASSIFICATION

## Kentucky Constitution Section 60

**General law not to be made special or local by amendment - No special powers or privileges - Law not to take effect on approval of other authority than General Assembly - Exceptions.**

The General Assembly shall not indirectly enact any special or local act by the repeal in part of a general act, or by exempting from the operation of a general act any city, town, district or county; but laws repealing local or special acts may be enacted. No law shall be enacted granting powers or privileges in any case where the granting of such powers or privileges shall have been provided for by a general law, nor where the courts have jurisdiction to grant the same or to give the relief asked for. No law, except such as relates to the sale, loan or gift of vinous, spirituous or malt liquors, bridges, turnpikes or other public roads, public buildings or improvements, fencing, running at large of stock, matters pertaining to common schools, paupers, and the regulation by counties, cities, towns or other municipalities of their local affairs, shall be enacted to take effect upon the approval of any other authority than the General Assembly, unless otherwise expressly provided in this Constitution.

***Text as Ratified on: August 3, 1891, and revised September 28, 1891.  
History: Not yet amended.***

## Kentucky Constitution Section 156

**(Repealed 1994)**

Catchline at time of repeal: "Cities divided into six classes - General laws to be made for each class - Population limits for classes - Assignment to classes - Organization of cities."

***Repeal Ratified on: November 8, 1994.  
History: Repeal was proposed by 1994 Ky. Acts ch. 168, secs. 1 and 6; original version ratified August 3, 1891, and revised September 28, 1891.***

## Kentucky Constitution Section 156a

**General Assembly authorized to provide for creation, governmental structure, and classification of cities.**

The General Assembly may provide for the creation, alteration of boundaries, consolidation, merger, dissolution, government, functions, and officers of cities. The General Assembly shall create such classifications of cities as it deems necessary based on population, tax base, form of government, geography, or any other reasonable basis and enact legislation relating to the classifications. All legislation relating to cities of a certain classification shall apply equally to all

# 1. CONSTITUTIONAL PROVISIONS RELATING TO CLASSIFICATION

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cities within the same classification. The classification of all cities and the law pertaining to the classifications in effect at the time of adoption of this section shall remain in effect until otherwise provided by law.

***Text as Ratified on: November 8, 1994.***

***History: Creation proposed by 1994 Ky. Acts ch. 168, sec. 1.***

## 2. STATUTORY PROVISIONS RELATING TO RECLASSIFICATION

### Kentucky Revised Statutes 81.025

#### **Laws applicable to city established by order applicable until reassignment by General Assembly.**

After an order establishing a city has been entered, the general laws relating the class which includes the population of the newly incorporated city shall apply to the city until the city is assigned to another class by the General Assembly.

**Effective: July 15, 1980**

**History: Created 1980 Ky. Acts ch. 115, sec. 1, effective July 15, 1980.**

### Kentucky Revised Statutes 81.026

#### **Effect of reclassification of city on existing ordinances and officers.**

- (1) When a city has been assigned by the General Assembly to another class, it shall thereafter be governed by the laws relating to the class to which it has been assigned, but the transfer from one class to another shall not affect any ordinance theretofore enacted by the city, except that any ordinance in conflict with the laws relating to cities of the class to which the city has been assigned shall be repealed to the extent it so conflicts.
- (2) Any officer holding office in any city changed to a classification other than that held at the time the officer was elected shall hold his office until the term for which he was elected has expired.

**Effective: July 15, 1980**

**History: Created 1980 Ky. Acts ch. 115, sec. 2, effective July 15, 1980.**

### Kentucky Revised Statutes 81.032

#### **Requirements for reclassification of an incorporated area.**

- (1) Prior to the reclassification of any incorporated area by the General Assembly, the legislative body of such area shall provide to the General Assembly by certified resolution the population data as required by subsections (2) and (3) of this section.
- (2) Prior to the reclassification of any incorporated area by the General Assembly, such area shall have attained the population requirements as established by Section 156 of the Constitution of the Commonwealth of Kentucky.

## 2. STATUTORY PROVISIONS RELATING TO RECLASSIFICATION

- (3) The population of any city proposed for reclassification shall be based on consideration of the most recent municipal population estimates as provided by the United States Bureau of Census, except that if recent growth in a city makes such estimates invalid, a city may submit for consideration an affidavit to certify such new growth. Such an affidavit shall be supported by documentation which may include more recent property valuation information, door to door population counts or other municipal data, such as annexation records, which may not be included in the recent population estimates.

***Effective: July 15, 1986***

***History: Created 1986 Ky. Acts ch. 151, sec. 1, effective July 15, 1986.***

***Legislative Research Commission Note (9/18/95): Section 156 of the Constitution of Kentucky, referenced in subsection (2) of this statute was repealed by an amendment ratified on November 8, 1994, which created Sections 156a and 156b. See 1994 Ky. Acts ch. 168. Section 156a provides in part: "The classification of all cities and the law pertaining to the classifications in effect at the time of adoption of this section shall remain in effect until otherwise provided by law."***

### Kentucky Revised Statutes 81.034

#### **Recording of data by General Assembly.**

Prior to the reclassification of any incorporated area by the General Assembly, the estimated population data and the constitutional reclassification information as required by KRS 81.032 shall be recorded with the summary of any such legislative proposal in the official record of the General Assembly.

***Effective: July 15, 1986***

***History: Created 1986 Ky. Acts ch. 151, sec. 2, effective July 15, 1986.***

### Kentucky Revised Statutes 81.036

#### **Recording of reclassification with Secretary of State.**

Upon reclassification of an incorporated area, the General Assembly shall provide the Secretary of State notice of the reclassification and a copy of the certified information which was presented to the General Assembly. Such information shall be maintained by the Secretary of State along with other information relating to such area as required by KRS 81.045.

***Effective: July 15, 1986***

***History: Created 1986 Ky. Acts ch. 151, sec. 3, effective July 15, 1986.***

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

\* Excludes the populations of the smaller incorporated cities within Jefferson County.

*Shaded rows indicate cities that do not meet the population ranges for their current classification based on the 2012 Census population estimates.*

City	Class	2012 Population	Form	County	County Seat
Louisville	1	605,110	Consolidated	Jefferson	x
Ashland	2	21,506	City Manager	Boyd	
Bowling Green	2	60,600	City Manager	Warren	x
Covington	2	40,713	City Manager	Kenton	x
Frankfort	2	27,590	City Manager	Franklin	x
Henderson	2	28,911	City Manager	Henderson	x
Hopkinsville	2	32,966	Mayor-Council	Christian	x
Jeffersontown	2	26,923	Mayor-Council	Jefferson	
Lexington	2	305,489	Urban County	Fayette	x
Newport	2	15,438	City Manager	Campbell	x
Owensboro	2	58,083	City Manager	Daviess	x
Paducah	2	25,048	City Manager	McCracken	x
Radcliff	2	23,036	Mayor-Council	Hardin	
Richmond	2	32,112	City Manager	Madison	x
Campbellsville	3	10,759	Mayor-Council	Taylor	x
Danville	3	16,349	City Manager	Boyle	x
Erlanger	3	18,359	Mayor-Council	Kenton	
Flatwoods	3	7,428	Mayor-Council	Greenup	
Florence	3	31,088	Mayor-Council	Boone	
Glasgow	3	14,095	Mayor-Council	Barren	x
Hazard	3	5,477	City Manager	Perry	x
Independence	3	25,664	Mayor-Council	Kenton	x
Mayfield	3	10,115	Mayor-Council	Graves	x
Maysville	3	9,021	City Manager	Mason	x
Middlesboro	3	10,014	Mayor-Council	Bell	
Murray	3	17,981	Mayor-Council	Calloway	x
Nicholasville	3	28,400	Commission	Jessamine	x
Paris	3	9,752	City Manager	Bourbon	x
Prospect	3	4,790	Mayor-Council	Jefferson/Oldham	
Shively	3	15,455	Mayor-Council	Jefferson	
Somerset	3	11,320	Mayor-Council	Pulaski	x
Winchester	3	18,451	City Manager	Clark	x
Albany	4	2,032	Mayor-Council	Clinton	x
Alexandria	4	8,640	Mayor-Council	Campbell	x
Anchorage	4	2,381	Mayor-Council	Jefferson	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Augusta	4	1,189	Mayor-Council	Bracken	
Barbourville	4	3,146	Mayor-Council	Knox	x
Bardstown	4	12,848	Mayor-Council	Nelson	x
Beaver Dam	4	3,515	Commission	Ohio	
Bellevue	4	5,928	Mayor-Council	Campbell	
Benton	4	4,409	Mayor-Council	Marshall	x
Berea	4	14,148	Mayor-Council	Madison	
Burnside	4	826	Mayor-Council	Pulaski	
Cadiz	4	2,609	Mayor-Council	Trigg	x
Calvert City	4	2,547	Mayor-Council	Marshall	
Carlisle	4	1,968	Mayor-Council	Nicholas	x
Carrollton	4	3,957	Mayor-Council	Carroll	x
Catlettsburg	4	1,837	Mayor-Council	Boyd	x
Cave City	4	2,272	Mayor-Council	Barren	
Central City	4	5,912	Mayor-Council	Muhlenberg	
Columbia	4	4,478	Mayor-Council	Adair	x
Corbin	4	7,272	City Manager	Knox/Whitley	
Crescent Springs	4	3,972	Mayor-Council	Kenton	
Crestview Hills	4	3,134	Mayor-Council	Kenton	
Cumberland	4	2,171	Mayor-Council	Harlan	
Cynthiana	4	6,326	Commission	Harrison	x
Dawson Springs	4	2,755	Mayor-Council	Caldwell/Hopkins	
Dayton	4	5,363	Mayor-Council	Campbell	
Douglass Hills	4	5,571	Mayor-Council	Jefferson	
Earlington	4	1,408	Mayor-Council	Hopkins	
Eddyville	4	2,572	Mayor-Council	Lyon	x
Edgewood	4	8,662	Mayor-Council	Kenton	
Elizabethtown	4	29,335	Mayor-Council	Hardin	x
Elkhorn City	4	970	Mayor-Council	Pike	
Elkton	4	2,194	Mayor-Council	Todd	x
Elsmere	4	8,460	Mayor-Council	Kenton	
Eminence	4	2,482	Mayor-Council	Henry	
Falmouth	4	2,154	Mayor-Council	Pendleton	x
Flemingsburg	4	2,693	Mayor-Council	Fleming	x
Fort Mitchell	4	8,222	Mayor-Council	Kenton	
Fort Thomas	4	16,222	Mayor-Council	Campbell	
Fort Wright	4	5,691	Mayor-Council	Kenton	
Franklin	4	8,551	City Manager	Simpson	x
Fulton	4	2,344	City Manager	Fulton	
Georgetown	4	30,271	Mayor-Council	Scott	x
Graymoor-Devondale	4	2,904	Mayor-Council	Jefferson	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Grayson	4	4,099	Mayor-Council	Carter	x
Greensburg	4	2,175	Mayor-Council	Green	x
Greenville	4	4,432	Mayor-Council	Muhlenberg	x
Guthrie	4	1,435	Mayor-Council	Todd	
Harlan	4	1,693	Mayor-Council	Harlan	x
Harrodsburg	4	8,312	Commission	Mercer	x
Hickman	4	2,296	City Manager	Fulton	x
Highland Heights	4	6,935	Mayor-Council	Campbell	
Hillview	4	9,409	Mayor-Council	Bullitt	
Hodgenville	4	3,232	Mayor-Council	Larue	x
Horse Cave	4	2,331	Mayor-Council	Hart	
Hurstbourne	4	4,283	Commission	Jefferson	
Hurstbourne Acres	4	1,839	Commission	Jefferson	
Indian Hills	4	2,907	Mayor-Council	Jefferson	
Irvine	4	2,442	Mayor-Council	Estill	x
Jackson	4	2,182	Mayor-Council	Breathitt	x
Jenkins	4	2,150	Mayor-Council	Letcher	
Junction City	4	2,211	Mayor-Council	Boyle/Lincoln	
LaGrange	4	8,231	Mayor-Council	Oldham	x
Lancaster	4	3,433	Mayor-Council	Garrard	x
Lawrenceburg	4	11,042	Mayor-Council	Anderson	x
Lebanon	4	5,620	Mayor-Council	Marion	x
Leitchfield	4	6,790	Mayor-Council	Grayson	x
London	4	6,052	Mayor-Council	Laurel	x
Ludlow	4	4,536	Mayor-Council	Kenton	
Lyndon	4	11,170	Mayor-Council	Jefferson	
Madisonville	4	19,798	Mayor-Council	Hopkins	x
Manchester	4	1,431	Mayor-Council	Clay	x
Marion	4	3,025	Mayor-Council	Crittenden	x
Martin	4	622	Mayor-Council	Floyd	
Middletown	4	7,328	Commission	Jefferson	
Midway	4	1,649	Mayor-Council	Woodford	
Monticello	4	6,188	Mayor-Council	Wayne	x
Morehead	4	6,860	Mayor-Council	Rowan	x
Morganfield	4	3,247	Mayor-Council	Union	x
Mount Sterling	4	6,995	Mayor-Council	Montgomery	x
Mount Washington	4	9,317	Mayor-Council	Bullitt	
Oak Grove	4	7,606	Mayor-Council	Christian	
Olive Hill	4	1,580	Mayor-Council	Carter	
Owingsville	4	1,546	Mayor-Council	Bath	x
Paintsville	4	4,119	Mayor-Council	Johnson	x

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Park Hills	4	2,991	Mayor-Council	Kenton	
Pikeville	4	6,875	City Manager	Pike	x
Pineville	4	1,845	Mayor-Council	Bell	x
Pioneer Village	4	487	Mayor-Council	Bullitt	
Prestonsburg	4	3,222	Mayor-Council	Floyd	x
Princeton	4	6,302	Mayor-Council	Caldwell	x
Providence	4	3,175	Mayor-Council	Webster	
Russell	4	3,325	Mayor-Council	Greenup	
Russellville	4	6,954	Mayor-Council	Logan	x
Saint Matthews	4	17,700	Mayor-Council	Jefferson	
Saint Regis Park	4	1,476	Mayor-Council	Jefferson	
Salyersville	4	1,842	Mayor-Council	Magoffin	x
Scottsville	4	4,291	Mayor-Council	Allen	x
Shelbyville	4	14,585	Mayor-Council	Shelby	x
Shepherdsville	4	11,463	Mayor-Council	Bullitt	x
Southgate	4	3,800	Mayor-Council	Campbell	
Springfield	4	2,565	Mayor-Council	Washington	x
Stanford	4	3,702	Mayor-Council	Lincoln	x
Stanton	4	2,708	Mayor-Council	Powell	x
Sturgis	4	1,892	Mayor-Council	Union	
Taylor Mill	4	6,659	Commission	Kenton	
Taylorsville	4	778	Commission	Spencer	x
Union	4	5,586	Commission	Boone	
Vanceburg	4	1,466	Mayor-Council	Lewis	x
Versailles	4	8,874	Mayor-Council	Woodford	x
Villa Hills	4	7,347	Mayor-Council	Kenton	
Vine Grove	4	5,227	Mayor-Council	Hardin	
Warsaw	4	1,661	Mayor-Council	Gallatin	x
West Liberty	4	3,397	Mayor-Council	Morgan	x
Whitesburg	4	2,078	Mayor-Council	Letcher	x
Williamsburg	4	5,256	Mayor-Council	Whitley	x
Wilmore	4	3,776	Mayor-Council	Jessamine	
Adairville	5	843	Mayor-Council	Logan	x
Auburn	5	1,332	Mayor-Council	Logan	
Audubon Park	5	1,491	Mayor-Council	Jefferson	
Barbourmeade	5	1,235	Commission	Jefferson	
Bardwell	5	714	Mayor-Council	Carlisle	x
Beattyville	5	1,278	Mayor-Council	Lee	x
Beechwood Village	5	1,340	Mayor-Council	Jefferson	
Benham	5	489	Mayor-Council	Harlan	
Bloomfield	5	854	Mayor-Council	Nelson	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Brandenburg	5	2,822	Mayor-Council	Meade	x
Brodhead	5	1,208	Commission	Rockcastle	
Bromley	5	804	Mayor-Council	Kenton	
Brooksville	5	649	Mayor-Council	Bracken	x
Brownsville	5	831	Mayor-Council	Edmonson	x
Burgin	5	960	Mayor-Council	Mercer	
Burkesville	5	1,528	Mayor-Council	Cumberland	x
Butler	5	599	Mayor-Council	Pendleton	
Calhoun	5	759	Mayor-Council	McLean	x
Camargo	5	1,097	Commission	Montgomery	
Campbellsburg	5	809	Mayor-Council	Henry	
Clay	5	1,180	Mayor-Council	Webster	
Clay City	5	1,066	Mayor-Council	Powell	
Clinton	5	1,352	Mayor-Council	Hickman	x
Cloverport	5	1,157	Mayor-Council	Breckinridge	
Cold Spring	5	6,132	Mayor-Council	Campbell	
Columbus	5	165	Mayor-Council	Hickman	
Corydon	5	722	Mayor-Council	Henderson	
Crestwood	5	4,617	Commission	Oldham	
Crittenden	5	3,795	Mayor-Council	Grant	
Crofton	5	762	Mayor-Council	Christian	
Drakesboro	5	510	Mayor-Council	Muhlenberg	
Dry Ridge	5	2,177	Mayor-Council	Grant	
Edmonton	5	1,575	Mayor-Council	Metcalfe	x
Evarts	5	944	Mayor-Council	Harlan	
Ferguson	5	946	Mayor-Council	Pulaski	
Fleming-Neon	5	753	Mayor-Council	Letcher	
Fredonia	5	400	Mayor-Council	Caldwell	
Goshen	5	926	Commission	Oldham	
Grand Rivers	5	378	Mayor-Council	Livingston	
Greenup	5	1,179	Mayor-Council	Greenup	x
Hardin	5	610	Mayor-Council	Marshall	
Hardinsburg	5	2,342	Mayor-Council	Breckinridge	x
Hartford	5	2,703	Mayor-Council	Ohio	x
Hawesville	5	996	Mayor-Council	Hancock	x
Hebron Estates	5	1,112	Commission	Bullitt	
Heritage Creek	5	1,094	Mayor-Council	Jefferson	
Hindman	5	766	Mayor-Council	Knott	x
Hollow Creek	5	792	Commission	Jefferson	
Hustonville	5	400	Mayor-Council	Lincoln	
Irvington	5	1,190	Mayor-Council	Breckinridge	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Jamestown	5	1,792	Mayor-Council	Russell	x
Jeffersonville	5	1,525	Commission	Montgomery	
Kuttawa	5	660	Mayor-Council	Lyon	
LaCenter	5	1,019	Commission	Ballard	
Lakeside Park	5	2,736	Mayor-Council	Kenton	
Lebanon Junction	5	1,850	Mayor-Council	Bullitt	
Lewisburg	5	803	Mayor-Council	Logan	
Lewisport	5	1,693	Mayor-Council	Hancock	
Liberty	5	2,189	Mayor-Council	Casey	x
Livermore	5	1,359	Mayor-Council	McLean	
Louisa	5	2,467	Mayor-Council	Lawrence	x
Loyall	5	668	Mayor-Council	Harlan	
Lynch	5	726	Mayor-Council	Harlan	
Lynnview	5	925	Mayor-Council	Jefferson	
McKee	5	788	Mayor-Council	Jackson	x
Meadow Vale	5	745	Commission	Jefferson	
Millersburg	5	792	Mayor-Council	Bourbon/Nicholas	
Morgantown	5	2,463	Mayor-Council	Butler	x
Mortons Gap	5	860	Mayor-Council	Hopkins	
Mount Olivet	5	284	Mayor-Council	Robertson	x
Mount Vernon	5	2,471	Mayor-Council	Rockcastle	x
Muldraugh	5	1,053	Mayor-Council	Hardin/Meade	
Munfordville	5	1,630	Mayor-Council	Hart	x
New Castle	5	907	Commission	Henry	x
North Middletown	5	644	Commission	Bourbon	
Northfield	5	1,035	Mayor-Council	Jefferson	
Nortonville	5	1,199	Mayor-Council	Hopkins	
Orchard Grass Hills	5	1,629	Mayor-Council	Oldham	
Owenton	5	1,532	Mayor-Council	Owen	x
Park City	5	543	Commission	Barren	
Pembroke	5	895	Commission	Christian	
Perryville	5	755	Mayor-Council	Boyle	
Pewee Valley	5	1,479	Mayor-Council	Oldham	
Plantation	5	842	Mayor-Council	Jefferson	
Powderly	5	738	Commission	Muhlenberg	
Raceland	5	2,385	Mayor-Council	Greenup	
Ravenna	5	598	Mayor-Council	Estill	
Rolling Hills	5	970	Commission	Jefferson	
Russell Springs	5	2,452	Mayor-Council	Russell	
Ryland Heights	5	1,030	Commission	Kenton	
Sadieville	5	317	Commission	Scott	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Sandy Hook	5	653	Mayor-Council	Elliott	x
Sebree	5	1,596	Mayor-Council	Webster	
Silver Grove	5	1,107	Mayor-Council	Campbell	
Simpsonville	5	2,580	Commission	Shelby	
Smiths Grove	5	721	Commission	Warren	
South Shore	5	1,117	Commission	Greenup	
Tompkinsville	5	2,320	Commission	Monroe	x
Uniontown	5	988	Mayor-Council	Union	
Walton	5	3,772	Mayor-Council	Boone/Kenton	
Watterson Park	5	988	Mayor-Council	Jefferson	
West Buechel	5	1,249	Mayor-Council	Jefferson	
West Point	5	776	Mayor-Council	Hardin	
White Plains	5	881	Commission	Hopkins	
Wickliffe	5	695	Mayor-Council	Ballard	x
Wilder	5	3,042	Mayor-Council	Campbell	
Williamstown	5	3,897	Mayor-Council	Grant/Pendleton	x
Windy Hills	5	2,415	Mayor-Council	Jefferson	
Woodlawn Park	5	953	Mayor-Council	Jefferson	
Worthington	5	1,596	Mayor-Council	Greenup	
Wurtland	5	1,063	Commission	Greenup	
Allen	6	190	Commission	Floyd	
Arlington	6	320	Commission	Carlisle	
Bancroft	6	500	Commission	Jefferson	
Barlow	6	682	Commission	Ballard	
Bedford	6	608	Commission	Trimble	x
Bellefonte	6	879	Commission	Greenup	
Bellemeade	6	875	Commission	Jefferson	
Bellewood	6	325	Commission	Jefferson	
Berry	6	264	Commission	Harrison	
Blackey	6	136	Mayor-Council	Letcher	
Blaine	6	47	Commission	Lawrence	
Blue Ridge Manor	6	780	Commission	Jefferson	
Bonnieville	6	257	Mayor-Council	Hart	
Booneville	6	80	Commission	Owsley	x
Bradfordsville	6	298	Commission	Marion	
Bremen	6	195	Mayor-Council	Muhlenberg	
Briarwood	6	440	Commission	Jefferson	
Broeck Pointe	6	275	Commission	Jefferson	
Brownsboro Farm	6	656	Commission	Jefferson	
Brownsboro Village	6	323	Commission	Jefferson	
Buckhorn	6	160	Commission	Perry	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
California	6	86	Commission	Campbell	
Cambridge	6	177	Commission	Jefferson	
Campton	6	429	Commission	Wolfe	x
Caneyville	6	616	Commission	Grayson	
Carrsville	6	50	Commission	Livingston	
Centertown	6	445	Commission	Ohio	
Clarkson	6	884	Commission	Grayson	
Coal Run Village	6	1,685	Commission	Pike	
Coldstream	6	1,118	Mayor-Council	Jefferson	
Concord	6	35	Commission	Lewis	
Corinth	6	230	Commission	Grant/Scott	
Crab Orchard	6	832	Commission	Lincoln	
Creekside	6	309	Commission	Jefferson	
Crestview	6	476	Commission	Campbell	
Crossgate	6	228	Commission	Jefferson	
Dixon	6	608	Commission	Webster	x
Dover	6	253	Commission	Mason	
Druid Hills	6	312	Commission	Jefferson	
Ekron	6	154	Commission	Meade	
Eubank	6	322	Commission	Lincoln/Pulaski	
Ewing	6	268	Commission	Fleming	
Fairfield	6	114	Commission	Nelson	
Fairview	6	144	Commission	Kenton	
Fincastle	6	832	Commission	Jefferson	
Fordsville	6	528	Commission	Ohio	
Forest Hills	6	449	Commission	Jefferson	
Fountain Run	6	214	Commission	Monroe	
Fox Chase	6	456	Mayor-Council	Bullitt	
Frenchburg	6	523	Commission	Menifee	x
Gamaliel	6	371	Commission	Monroe	
Germantown	6	154	Commission	Bracken/Mason	
Ghent	6	326	Commission	Carroll	
Glencoe	6	353	Mayor-Council	Gallatin	
Glenview	6	537	Commission	Jefferson	
Glenview Hills	6	323	Commission	Jefferson	
Glenview Manor	6	193	Commission	Jefferson	
Goose Creek	6	298	Commission	Jefferson	
Gratz	6	77	Commission	Owen	
Green Spring	6	726	Commission	Jefferson	
Hanson	6	740	Commission	Hopkins	
Hazel	6	412	Mayor-Council	Calloway	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Hickory Hill	6	115	Commission	Jefferson	
Hills and Dales	6	144	Commission	Jefferson	
Hollyvilla	6	543	Commission	Jefferson	
Houston Acres	6	513	Commission	Jefferson	
Hunters Hollow	6	367	Commission	Bullitt	
Hyden	6	362	Commission	Leslie	x
Inez	6	705	Commission	Martin	x
Island	6	457	Commission	McLean	
Kenton Vale	6	107	Commission	Kenton	
Kevil	6	380	Mayor-Council	Ballard	
Kingsley	6	386	Commission	Jefferson	
Lafayette	6	168	Commission	Christian	
Lakeview Heights	6	230	Commission	Rowan	
Langdon Place	6	952	Commission	Jefferson	
Lincolnshire	6	150	Commission	Jefferson	
Livingston	6	226	Commission	Rockcastle	
Loretto	6	723	Commission	Marion	
Mackville	6	224	Commission	Washington	
Manor Creek	6	142	Commission	Jefferson	
Maryhill Estates	6	181	Commission	Jefferson	
McHenry	6	392	Commission	Ohio	
Meadowbrook Farm	6	138	Commission	Jefferson	
Meadowview Estates	6	367	Commission	Jefferson	
Melbourne	6	402	Commission	Campbell	
Mentor	6	210	Commission	Campbell	
Milton	6	573	Commission	Trimble	
Mockingbird Valley	6	169	Commission	Jefferson	
Monterey	6	137	Mayor-Council	Owen	
Moorland	6	436	Commission	Jefferson	
Murray Hill	6	593	Commission	Jefferson	
Nebo	6	235	Commission	Hopkins	
New Haven	6	871	Commission	Nelson	
Norbourne Estates	6	446	Commission	Jefferson	
Norwood	6	374	Commission	Jefferson	
Oakland	6	226	Commission	Warren	
Old Brownsboro Place	6	357	Commission	Jefferson	
Parkway Village	6	658	Commission	Jefferson	
Pippa Passes	6	532	Mayor-Council	Knott	
Pleasureville	6	830	Commission	Henry/Shelby	
Plum Springs	6	467	Commission	Warren	
Poplar Hills	6	366	Commission	Jefferson	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Prestonville	6	163	Commission	Carroll	
Raywick	6	136	Commission	Marion	
Richlawn	6	410	Commission	Jefferson	
River Bluff	6	412	Commission	Oldham	
Riverwood	6	451	Commission	Jefferson	
Robards	6	517	Commission	Henderson	
Rochester	6	154	Mayor-Council	Butler	
Rockport	6	269	Commission	Ohio	
Rolling Fields	6	654	Commission	Jefferson	
Sacramento	6	467	Commission	McLean	
Saint Charles	6	275	Commission	Hopkins	
Salem	6	745	Commission	Livingston	
Salt Lick	6	309	Mayor-Council	Bath	
Sanders	6	240	Commission	Carroll	
Sardis	6	103	Commission	Mason/Robertson	
Science Hill	6	697	Commission	Pulaski	
Seneca Gardens	6	704	Commission	Jefferson	
Sharpsburg	6	329	Commission	Bath	
Slaughters	6	216	Commission	Webster	
Smithfield	6	105	Commission	Henry	
Smithland	6	298	Commission	Livingston	x
Sonora	6	500	Commission	Hardin	
South Carrollton	6	182	Mayor-Council	Muhlenberg	
South Park View	6	7	Commission	Jefferson	
Sparta	6	262	Commission	Gallatin/Owen	
Spring Mill	6	290	Commission	Jefferson	
Spring Valley	6	662	Commission	Jefferson	
Stamping Ground	6	662	Commission	Scott	
Strathmoor Manor	6	341	Commission	Jefferson	
Strathmoor Village	6	656	Commission	Jefferson	
Sycamore	6	162	Commission	Jefferson	
Ten Broeck	6	104	Commission	Jefferson	
Thornhill	6	182	Commission	Jefferson	
Trenton	6	390	Commission	Todd	
Upton	6	667	Commission	Hardin/Larue	
Vicco	6	329	Commission	Knott/Perry	
Wallins Creek	6	152	Commission	Harlan	
Warfield	6	264	Commission	Martin	
Water Valley	6	282	Commission	Graves	
Waverly	6	308	Commission	Union	
Wayland	6	421	Commission	Floyd	

### 3. CITIES BY CURRENT CLASSIFICATION & POPULATION

City	Class	2012 Population	Form	County	County Seat
Wellington	6	572	Commission	Jefferson	
Westwood	6	642	Commission	Jefferson	
Wheatcroft	6	160	Commission	Webster	
Wheelwright	6	773	Commission	Floyd	
Whitesville	6	548	Commission	Daviess	
Wildwood	6	264	Commission	Jefferson	
Willisburg	6	285	Mayor-Council	Washington	
Wingo	6	640	Commission	Graves	
Woodburn	6	363	Commission	Warren	
Woodbury	6	91	Commission	Butler	
Woodland Hills	6	704	Commission	Jefferson	
Woodlawn	6	233	Commission	Campbell	
Worthington Hills	6	1,469	Commission	Jefferson	
Worthville	6	187	Commission	Carroll	

*Shaded rows indicate cities that do not meet the population ranges for their current classification based on the 2012 Census population estimates.*

## 4. LEGISLATIVE RECLASSIFICATION ATTEMPTS SINCE 2000

**Bold** indicates the Census population count/estimate did not meet the proposed classification range. Cities may submit information to prove that their population qualifies for a class change.

*Shaded rows indicate that the attempt to reclassify the city did not pass.*

2000	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Albany	5	4	<b>2,225</b>	Passed
Cave City	5	4	<b>2,090</b>	Passed
Hebron Estates	6	5	1,124	Passed
Henderson	3	2	26,649	Passed
Hollow Creek	6	5	<b>859</b>	Passed
Horse Cave	5	4	<b>2,520</b>	Passed
Independence	5	3	13,633	Passed
Indian Hills	5	4	<b>2,168</b>	Passed
Jeffersontown	3	2	25,253	Passed
Pioneer Village	5	4	<b>1,363</b>	Passed
Sparta	6	5	<b>156</b>	Failed
Union	6	5	1,518	Passed
White Plains	6	5	<b>727</b>	Passed

2001	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Brodhead	6	5	1,194	Passed
Guthrie	5	4	<b>1,496</b>	Failed
New Castle	6	5	1,046	Passed
Oak Grove	5	4	5,918	Passed

2002	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Crestwood	6	5	2,639	Passed
Stanford	5	4	3,428	Passed

2003	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Goshen	6	5	<b>911</b>	Passed

2004	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Warsaw	5	4	<b>1,815</b>	Failed

2005	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Corbin	3	4	7,958	Passed
Prospect	4	3	<b>4,762</b>	Passed
Union	5	4	3,128	Passed
Warsaw	5	4	<b>1,846</b>	Passed

2006	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Glencoe	6	5	<b>387</b>	Failed
Junction City	5	4	<b>2,188</b>	Failed
Sadieville	6	5	<b>287</b>	Failed
Taylorsville	6	5	1,112	Passed

## 4. LEGISLATIVE RECLASSIFICATION ATTEMPTS SINCE 2000

<b>2007</b>	<b>Previous Class</b>	<b>Proposed Class</b>	<b>Pop. Est. at the Time</b>	<b>Action</b>
Crestview Hills	5	4	3,356	Passed
Junction City	5	4	<b>2,186</b>	Failed
Sadieville	6	5	<b>293</b>	Failed

<b>2008</b>	<b>Previous Class</b>	<b>Proposed Class</b>	<b>Pop. Est. at the Time</b>	<b>Action</b>
Junction City	5	4	<b>2,189</b>	Failed
Lancaster	5	4	4,312	Passed
Sadieville	6	5	<b>302</b>	Failed
Whitesburg	5	4	<b>1,489</b>	Passed

<b>2009</b>	<b>Previous Class</b>	<b>Proposed Class</b>	<b>Pop. Est. at the Time</b>	<b>Action</b>
Junction City	5	4	<b>2,198</b>	Failed
Sadieville	6	5	<b>309</b>	Failed

<b>2010</b>	<b>Previous Class</b>	<b>Proposed Class</b>	<b>Pop. Est. at the Time</b>	<b>Action</b>
Cadiz	5	4	<b>2,563</b>	Passed
Junction City	5	4	<b>2,211</b>	Failed
Midway	5	4	<b>1,604</b>	Failed
Sadieville	6	5	<b>319</b>	Failed
Taylorsville	5	4	<b>1,232</b>	Failed
Wurtland	6	5	1,047	Failed

<b>2011</b>	<b>Previous Class</b>	<b>Proposed Class</b>	<b>Pop. Est. at the Time</b>	<b>Action</b>
Greensburg	5	4	<b>2,392</b>	Passed
Guthrie	5	4	<b>1,457</b>	Passed
Junction City	5	4	<b>2,212</b>	Passed
Midway	5	4	<b>1,627</b>	Passed
Pikeville	3	4	6,419	Passed
Sadieville	6	5	<b>326</b>	Passed
Wurtland	6	5	1,063	Passed

<b>2012</b>	<b>Previous Class</b>	<b>Proposed Class</b>	<b>Pop. Est. at the Time</b>	<b>Action</b>
Hurstbourne Acres	5	4	<b>1,811</b>	Passed
Pembroke	6	5	<b>869</b>	Failed
Taylorsville	5	4	<b>763</b>	Failed

<b>2013</b>	<b>Previous Class</b>	<b>Proposed Class</b>	<b>Pop. Est. at the Time</b>	<b>Action</b>
Burnside	5	4	<b>618</b>	Passed
Eddyville	5	4	<b>2,553</b>	Passed
Pembroke	6	5	<b>865</b>	Passed
Ryland Heights	6	5	1,025	Passed
Taylorsville	5	4	<b>778</b>	Passed

## 4. LEGISLATIVE RECLASSIFICATION ATTEMPTS SINCE 2000

2014	Previous Class	Proposed Class	Pop. Est. at the Time	Action
Booneville	6	4	<b>80</b>	Filed
Clarkson	6	5	<b>884</b>	Filed
Coal Run Village	6	5	1,685	Filed
Columbus	5	6	165	Filed
Crestwood	5	4	4,617	Filed
Hardinsburg	5	4	<b>2,342</b>	Filed
Williamstown	5	4	3,897	Filed

**Bold** indicates the Census population count/estimate did not meet the proposed classification range. Cities may submit information to prove that their population qualifies for a class change.

*Shaded rows indicate that the attempt to reclassify the city did not pass.*

**Editor's Note:** Filings for the 2014 Regular Session are as of January 31, 2014.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

*NOTE: Some of these laws may have been modified or repealed since the LRC memo was published in 1996.*

### Statutes Relating to Cities of the First Class

- 61.080 ..... Incompatible offices.
- 61.380 ..... Certain counties may pay attendance expenses of officers at conferences, meetings or hearings - Statement of expenses to be filed.
- 61.385 ..... Certain counties may reimburse officers and employees for use of personal motor vehicles on official business.
- 62.055 ..... Bonds of county clerks.
- 64.210 ..... Allowance to constables and deputies in counties containing first-class city.
- 64.345 ..... Clerks and sheriffs and jailers in counties having population of 70,000 or more - Compensation - Expenses - Deputies and assistants.
- 64.530 ..... Compensation of county officers, employees, deputies and assistants, and members of fiscal court.
- 65.003 ..... Codes of ethics for city and county officials and employees.
- 65.182 ..... Procedures for creating taxing district.
- 65.192 ..... Alternate method of creating a taxing district in counties containing a city of the first class.
- 65.540 ..... Members of authority - Appointment, terms - Removal - Effect of compact.
- 65.570 ..... Compensation of members - Employees - Duties of secretary-treasurer - Effect of compact.
- 66.540 ..... Appointment of board and sinking fund commissioners of city for common use of employees.
- 67.042 ..... Fiscal court districts in counties containing city of first class.
- 67.060 ..... County commissioners - Election, term, qualifications.
- 67.120 ..... Clerk, deputy clerk and stenographer of fiscal court.
- 67.710 ..... Powers and duties.
- 67.825 ..... Authorization for charter county government or consolidation of services or functions.
- 67.830 ..... Procedure for adoption of charter county form of government or for consolidation of services or functions.
- 67A.010.... Urban-county form of government authorized.
- 67B.010.... Authority to create metropolitan correctional services departments.
- 67B.020.... Definitions.
- 67B.030.... Establishment and nature of department - Duties of jailer vested in department.
- 68.080 ..... Publication of annual financial statement of counties containing city of first class.
- 68.127 ..... Emergency floodwall operation fund, fiscal court of county containing city of the first class may establish - Additions to fund - Investment of funds - Gifts.
- 68.130 ..... Auditor and assistant auditor for counties having city of first class - Salary - Bond.
- 68.150 ..... Additional audit by independent firm.
- 68.160 ..... Purchasing agent for county having city of first class.
- 68.190 ..... Credit for payment of similar city tax.
- 68.245 ..... Estimate of assessment - Levy in excess of compensatory tax rate subject to recall vote or reconsideration.
- 69.130 ..... Counties containing a city of the first class to provide automobile for Commonwealth's attorney.
- 69.320 ..... Power of stenographer for county attorney in county containing a city of the first class in administering oaths.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 70.320 .....Deputy constables in counties containing first or second class cities.
- 70.542 .....Auxiliary county police force.
- 71.110 .....Office of jailer consolidated with office of sheriff in county containing city of the first class or an urban-county government.
- 74.400 .....District may acquire, develop, maintain and operate gas system - Procedure.
- 74.416 .....Approval of sanitary sewer system project in Jefferson County.
- 75.031 .....Trustees, elections, terms - Vacancies - Elections for part of trustees - Officers.
- 76.005 .....Definitions.
- 76.030 .....Board of district - Membership, appointment, qualifications, term, vacancies, removal, compensation - Effect of compact.
- 76.060 .....Officers and employees - Legal services - Effect of compact.
- 76.090 .....Rates, rentals and charges - Use of funds of district - Cutting off sewer and water service to delinquents.
- 76.170 .....Area included in district - Construction subdistrict excluded - Extension of boundaries.
- 76.171 .....Construction of branch or lateral sewer lines in territory annexed to first-class city.
- 76.172 .....Apportionment of construction costs - Liens - Apportionment warrants - Notice.
- 76.231 .....Joint sewer agency established - Powers - Administration - Dissolution.
- 76.268 .....Annexation to subdistricts, procedure - Effect.
- 76.271 .....Winding up of construction subdistrict affairs, when, effect.
- 76.274 .....Sanitation tax district - Creation, powers - Area included.
- 76.410 .....Exception to limitation of KRS 220.535.
- 76.620 .....Approval required.
- 77.065 .....Ex officio officers and other personnel of district not containing city of first or second class - Effect of compact.
- 77.070 .....Air pollution control board, membership - Qualifications - Vacancies - Removal - Effect of compact.
- 79.310 .....Cooperative compact between city of the first class and county containing such city - Term - Amendment - Termination.
- 79.315 .....Matters to be agreed upon.
- 79.320 .....Definitions for KRS 79.325.
- 79.325 .....Sinking fund apportionment.
- 79.330 .....Transfer, alteration and appointment to joint city-county entities.
- 80.1 10 .....Projects subject to building, zoning and sanitary laws.
- 80.450 .....Quorum - Officers and employees - Legal services - Effect of compact.
- 80.480 .....Removal of members - Effect of compact.
- 81.300 .....Plan for the improvement of local government in county containing city of first class may be submitted to fiscal court - Action by fiscal court - Election - Time within which fiscal court must act.
- 81.320 .....Tabulation of votes.
- 81.330 .....When plan to take effect - Exclusion of city from boundaries of new city - Result - Liability of city of first class.
- 81.360 .....KRS 81.300 to 81.360 to be considered as alternate method of extending city boundaries and consolidating governmental services.
- 81A.005....Annexation by city of first class which has in effect a cooperative compact with its county.
- 81A.010....Annexation of unincorporated territory or reduction of territory by first-class city - Effect of compact.
- 81A.020....Protest against annexation of unincorporated territory or reduction of territory by city of the first class - Trial - Judgment.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

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- 81A.050....Proceedings to incorporate.
- 81A.060....Public hearings - Authority of board of aldermen.
- 81A.070....Property tax in annexed area.
- 81A.400....Powers of cities to annex or reduce boundaries.
- 82.095 .....Supplemental taxes levied by city of third or fourth class in county containing city of first class.
- 82.400 .....Procedure for dedicating public way or easement - Waiver in certain instances - Presumption of dedication - Automatic acceptance - Penalty.
- 83.165 .....Public wharves and landings - Control - Charges.
- 83.410 .....Legislative finding and expression of legislative intent.
- 83.420 .....Incorporation and general powers.
- 83.430 .....Departments of city of the first class - Limitations.
- 83.440 .....Legislative branch - Board of aldermen.
- 83.520 .....Board of aldermen - Powers - Tax levy - Other statutory provisions permissive.
- 83A.010....Definitions for chapter.
- 83A.030....Legislative body of city with mayor-council, commission or city manager plan.
- 83A.040....Election of mayors and legislative bodies - Vacancies - Removal of elected officers.
- 83A.060....Enactment of ordinances.
- 83A.075....Equating of compensation rate of mayors and members of city legislative bodies with purchasing power of dollar - Limitation.
- 83A.080....Nonelective city offices and officers.
- 83A.085....Office of city clerk required, except in city of first class - Duties - Combination with other nonelected city office - Information on city and officials to Department of Local Government.
- 90.1 10 .....Definitions for KRS 90.1 10 to 90.230.
- 90.120 .....Civil service board - Membership - Appointment - Term - Vacancies - Ineligibility for other office - Removals.
- 90.230 .....Ordinances and appropriations.
- 91.200 .....City License taxes - Imposition - Rate - Collection - Transfer of surplus to general fund - Use - Restriction on ad valorem tax for sinking fund purposes - Issuance and enforcement of licenses.
- 91.260 .....Ad valorem taxes - Taxes based on income, licenses and franchises - Exemption of manufacturing establishments.
- 91.265 .....Power to levy all taxes authorized by Const., 181 - Exceptions.
- 91.285 .....Taxation of abandoned urban property by city of the first class.
- 91.375 .....Omitted property.
- 91.481 .....Definitions for KRS 91.484 to 91527and 92.810.
- 91.560 .....Tax lien.
- 91.570 .....Collection of taxes by action.
- 91.620 .....Capital stock of incorporated banks, trust companies, and guaranty or security companies, how assessed.
- 91.750 .....Definitions for KRS 91.750 to 91.762.
- 91.752 .....Authority for establishment of district.
- 91A.010....Definitions for KRS 91A.010 to 91A.060.
- 91A.350....Local tourist and convention commissions - Continued funding.
- 91A.392....Levy of additional transient room tax by county containing city of the first class - Required repeal of tax upon retirement of bonds.
- 92.281 .....Levy of all taxes authorized by Constitution Section 181 - Exceptions - Occupational tax.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 95.290 ..... Pension system for police and fire divisions - Governing bodies - Distribution of funds - Administration expenses - Participation by policemen and firefighters in County Employees Retirement System - Contributions.
- 96.010 ..... Sale of public utility franchises by cities.
- 96.020 ..... Deposit to accompany bid - Bidder to give bond.
- 96.030 ..... Exclusive franchise not to be granted by first-class city.
- 96.040 ..... First class city may purchase public utility plant.
- 96.090 ..... Sale of gas company stock owned by first-class city.
- 96.100 ..... Amendment to charter of gas company in which first-class city owns stock.
- 96.230 ..... First-class city to control waterworks.
- 96.240 ..... Board of waterworks. - Appointment - Qualifications - Term - Oath.
- 96.265 ..... Extension of service to persons not currently served - Costs - Assessments - Apportionment warrants - Liens.
- 96.351 ..... Waterworks or waterworks and sewerage commissions in cities of third class in counties of more than 50,000 other than counties with a city of first class or urban-county government.
- 96A.040.... Managing board - Membership - Effect of compact.
- 96A.070.... Board officers, executive committee, director, employees - Effect of compact.
- 97.035 ..... Establishment of joint system of recreational facilities - Joint board - Effect of compact.
- 97.250 ..... Powers of department of public parks and recreation in first-class cities - Employees - Director of parks and recreation.
- 97.253 ..... Employees are subject to civil service.
- 97.255 ..... Power of police to arrest for offenses committed on park property.
- 97.257 ..... Power of condemnation for park purposes.
- 97.630 ..... War memorial commissions in cities.
- 97.640 ..... Officers and employees of commissions.
- 97.700 ..... Appropriation or tax levy to maintain memorial.
- 98.010 ..... Department of public welfare - Powers - Duties.
- 98.012 ..... Claim against estate of recipient of general assistance - Priority - Filing.
- 98.013 ..... City to have lien upon real property of general assistance recipient - Notice - Filing, recording and indexing - Filing fee - Enforceability of lien - Waiver - Precipitation.
- 98.030 ..... Location of institutions.
- 98.040 ..... Construction and improvement of hospitals and institutions.
- 98.050 ..... Building commission to be appointed - Ordinance - Appropriation.
- 98:180 ..... Authority of city of first class and county containing such city to establish combined welfare organization.
- 98.300 ..... Fiscal court of county containing a city of first class may establish department of welfare.
- 98.380 ..... City to be reimbursed by fiscal court for cost incurred by civil service board by reason of requirement of KRS 98.370.
- 99.595 ..... Property assessment and reassessment moratoriums.
- 99.700 ..... Legislative findings and policy.
- 99.705 ..... Definitions.
- 99.710 ..... Ordinance adopting provisions of state statutes on blighted or deteriorated areas - Vacant property review commission.
- 99.7 15 ..... Acquisition and disposal of blighted property by city.
- 99.720 ..... Certification of blight deterioration - Notice to owner demanding abatement.
- 99.725 ..... Eminent domain proceedings by city.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

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- 99.730 .....Acquisition by certain employees prohibited - Disclosure of previous interest required - Payment under eminent domain proceedings.
- 100.121 ....Joint planning units.
- 100.137 ....Planning commission in counties of 300,000 - Qualifications - Appointment.
- 100.157 ....Removal - Effect of compact.
- 100.209 ....Amendment of comprehensive plan prior to annexation permitted - Land use management regulation in newly annexed or reclassified territory.
- 100.211 ....Procedure for amending zoning map and text of regulation - Notice - Hearing - Time limit for final action.
- 100.212 ....Notice of hearing on proposed map amendment.
- 100.214 ....Hearing on proposed map amendment in county containing city of the first class.
- 100.217 ....Board of adjustment - Membership - Appointment - Terms - Vacancies - Oath - Compensation - Removal - Officials - Effect of compact.
- 100.237 ....Conditional use permits.
- 100.253 ....Existing nonconforming use, continuance - Change - Effect of nonconforming use of ten years' duration - Application.
- 100.277 ....Commission approval required for subdivisions.
- 107.050 ....Procedure following public hearing - Second ordinance.
- 108.060 ....Civil service for employees.
- 108.140 ....Powers and duties of directors.
- 132.012 ...."Abandoned urban property" defined - Classification as real property for tax purposes.
- 132.150 ....Valuation of distilled spirits certified to county clerks - Local tax rate.
- 132.275 ....Public utilities in county containing city of first class to give property valuation administrator information concerning customers.
- 132.400 ....Bond of property valuation administrator.
- 136.190 ....Boundary report of cities and taxing districts.
- 137.410 ....Municipal tax on coin machines - Definition of coin machines - Maximum tax limit.
- 153.440 ....Levy of additional transient room tax by county containing city of the first class.
- 153.460 ....Levy of surcharge on tickets and on restaurant gross receipts by county containing city of first class.
- 160.042 ....Election of members - Resent terms to continue, exception.
- 160.160 ....Boards of education - Powers and procedures - Approval of Department of Education required for mortgages, leases - Rental payments under lease.
- 160.200 ....Time of election of board members.
- 160.210 ....Election of board members - Change in boundary lines of divisions - Boards in counties containing city of first class.
- 160.280 ....Per diem and expenses allowed board members.
- 160.570 ....Depository of board - Bond - Duties.
- 160.597 ....Levy recall procedure.
- 161.710 ....Local system merged with state system.
- 163.032 ....Salary schedule for teachers in schools for deaf and blind.
- 164.810 ....Definitions for KRS 164.810 to 164.870.
- 164.840 ....Appropriations by city.
- 164.850 ....Appropriations by county.
- 165.030 ....Appropriation for university.
- 165.040 ....Payment of appropriation to university.
- 165.050 ....Appropriation of funds other than taxes.
- 165.060 ....Appropriation of land for university.
- 165.070 ....Condemnation, purchase or gift of land.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

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- 165.080 ....Bond issue question may be submitted to voters.
- 165.140 ....Financial and other reports concerning university.
- 165.150 ....Law school buildings for municipal university - Erection of.
- 172.180 ....Alternate method of financing library.
- 172.200 ....Appointment of trustees - Powers - Duties - Limits on indebtedness - County not to be liable - Treasurer, duties.
- 173.010 ....Public library in cities of first class - Arrangement with existing libraries - Provisions of contract.
- 173.030 ....Establishment of free public library in cities of first class - Use of - Ordinances regarding conduct.
- 173.045 ....Retirement plan for employees.
- 173.065 ....Fiscal year of library.
- 173.070 ....Appropriation for public library - Disposition of revenue - Report to legislative body.
- 173.105 ....Contract with county - Support by county - Effect of compact.
- 173.106 ....Opportunity for voluntary contribution for free public library when registering vehicle in county with compact in effect.
- 173.107 ....Library tax or appropriation not to be decreased when city becomes city of first class.
- 173.300 ....Definitions for KRS 173.310 to 173.410.
- 173.360 ....Annual appropriations, amounts - Powers and duties of board as to funds.
- 173.400 ....Status of existing libraries and contracts.
- 178.020 ....Roads, bridges and landings continued, removal from through road system.
- 178.030 ....Transfers from state to county.
- 178.040 ....Width of county roads, how fixed - Acquisition of right-of-way.
- 178.117 ....Private improvement of public road in counties containing first-class city - When permitted - Procedure.
- 178.330 ....County through road system, establishment - Effect (counties containing first-class city).
- 178.333 ....Addition of roads to through road system - New roads, relocation.
- 178.337 ....Removal of road from system - When city streets in system.
- 178.350 ....Application of KRS 178.350 to 178.385 limited to counties containing first-class city.
- 178.405 ....Conditions requisite.
- 179.070 ....General powers and duties of engineer - Requirement of site development plan in certain counties.
- 179.330 ....Names of county roads - How changed and established - Erection of signs.
- 179.470 ....Maintenance of subdivision roads in counties.
- 181.850 ....Bridge commissions in first-class cities.
- 181.851 ....Definitions for KRS 181.850 to 181.869.
- 181.853 ....Acquisition of property.
- 183.132 ....Local air boards.
- 183.880 ....Establishment of safety and security department by airport board - Oath by appointees.
- 201.010 ....Definitions.
- 201.020 ....Board for home - Members - Appointment - Term - Vacancies.
- 201.060 ....Title to property.
- 201.070 ....Condemnation of property.
- 201.160 ....Appropriations for purchase of property - Right to alienate property.
- 201.170 ....Appropriations for maintenance.
- 201.210 ....Annual reports of board.
- 205.782 ....Service of process by constable in county containing city of the first class.
- 210.040 ....Powers and duties of cabinet.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 211.370 .... Issuance of plumbing installation permits for on-site sewage disposal systems - Local board of health as agent for cabinet - Regulations.
- 212.350 .... Creation of city-county board of health for cities of first class and counties containing such cities - Corporate powers - Abolishment of former health agencies - Effect of compact.
- 212.380 .... Membership of board - Qualifications - Terms - Effect of compact.
- 212.432 .... Inclusion of employees in state retirement system.
- 212.434 .... Prior service credit.
- 212.436 .... Payment of contributions.
- 212.600 .... Board to control health in all cities in county.
- 212.750 .... Public health taxing district created in counties not electing to create same - Officers.
- 212.855 .... Members of district board of health - Appointment - Terms.
- 212.990 .... Penalties.
- 220.080 .... Boundary of proposed district - Investigation - Change - Inclusion of city property restricted.
- 220.285 .... Power to provide sewer service outside district.
- 220.535 .... Petition for annexation of territory to district.
- 226.060 .... Special provisions for city, and county containing city of first class.
- 230.379 .... Award of simulcasting and intertrack wagering dates.
- 241.065 .... Limitation on number of retail package liquor and drink licenses in counties containing cities of first class.
- 241.075 .... Location of retail package liquor and drink licenses in cities of the first class.
- 241.170 .... Appointment of city administrator and employees in cities of first class - Police powers - Right to inspect premises - Appointment in other cities - Qualifications of city administrators and employees.
- 243.030 .... Distilled spirits and wine licenses - Kinds - Fees.
- 247.140 .... Functions of fair board.
- 277.050 .... Corporation constructing or operating union station may condemn land.
- 278.010 .... Definitions for KRS 278.010 to 278.450 and KRS 278.990.
- 304.8-090. Depositories.
- 345.010 .... Definitions.
- 345.030 .... Employees' right to organize for the purpose of collective bargaining.
- 381.440 .... Excavations in cities of the first class - Protection of adjacent property.
- 416.560 .... Initiation of condemnation proceedings - Costs - Right of entry - Damages.
- 424.130 .... Times and periods of publication.
- 424.220 .... Financial statements.
- 439.315 .... Payment of fee by released person - Amount - Waiver of payment - Applicable to persons released by county containing a city of the first class or urban county government.

### Statutes Relating to Cities of the Second Class

- 61.080 ..... Incompatible offices.
- 62.055 ..... Bonds of county clerks.
- 64.530 ..... Compensation of county officers, employees, deputies and assistants, and members of fiscal court.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 65.156 .....Actuarial evaluation requirement for local government pension systems - Exemptions - Copy to Legislative Research Commission - Contributions by cities or municipal agencies - Payment of lawful expenses - Prohibition against creation or maintenance of defined benefit retirement system susceptible of unfunded liability - Exceptions.
- 67.323 .....Fire department merit system - Creation - Scope - Board - Definitions - Applicability.
- 67A.500....Withdrawal from service prior to retirement - Refunds - Forfeitures.
- 67A.600....Fund to supersede prior pension funds - Increase in retirement annuity.
- 68.202 .....License fee on cable television systems in counties containing a city of the second class - Use of proceeds.
- 69.105 .....Power of stenographer for Commonwealth's attorney in county containing a city of the second class to administer oath.
- 76.231 .....Joint sewer agency established - Powers - Administration - Dissolution.
- 76.233 .....Agency revenue bonds.
- 82.025 .....Kentucky Urban Affairs Council.
- 83A.050....General election laws to govern election of city officers unless changed by ordinance.
- 83A.170....Nonpartisan elections.
- 90.300 .....Definitions for KRS 90.310 to 90.410 - Application.
- 90.310 .....Adoption of civil service ordinance - Civil service commission.
- 90.320 .....Examinations - Certifications - Preference points - Eligible list.
- 90.350 .....Appointments - Promotions.
- 90.390 .....Prohibition of political activity.
- 90.400 .....Pension fund in cities of second class - Coverage provided in County Employees Retirement System after August 1, 1988.
- 90.420 .....Rights under former acts preserved.
- 92.240 .....Board of equalization in cities of second class.
- 92.420 .....Assessment date for city taxation.
- 92.430 .....Assessment lists and assessment procedure in cities of second class.
- 92.440 .....Equalization of assessments in cities of second class.
- 92.450 .....Omitted property, action to assess in cities of second class.
- 92.540 .....Manner of assessment, levy and collection, how regulated by ordinance in cities of second, fifth and sixth classes.
- 92.550 .....City tax records in cities of second class constitute notice - Irregular tax proceedings.
- 92.560 .....Tax bills, how made out and delivered in cities of second class.
- 92.590 .....Time and manner of paying taxes in cities of second, third and fourth classes - Discounts, interest and penalties.
- 95.010 .....Definitions for KRS95.160 to 95.290 and KRS 95.787 to 95.850.
- 95.435 .....Custody and disposition of property taken by the police department.
- 95.440 .....Police and fire department members - Qualifications - Examination - Tenure - Reinstatement.
- 95.480 .....Duties and liabilities of chief of police and policemen - Fees - Cities of second class or urban-county government.
- 95.490 .....Oath and bond of members of police force - Cities of second class or urban-county governments.
- 95.495 .....Hours of work and annual leave for members of police department - Cities of second class or urban-county governments.
- 95.500 .....Powers and duties of chief of fire department - Hours of work and annual leave of firefighters - Cities of second class or urban county governments.
- 95.851 .....Definitions for KRS 95.852 to 95.991.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 95.852 .....Retirement and benefit fund established - Name - Coverage provided in County Employees Retirement System after August 1, 1988.
- 95.883 .....Appeal to circuit court.
- 96.050 .....Second-class city may regulate construction and operation of utilities.
- 96.160 .....Power of second-class city to furnish water and light.
- 96.165 .....City classified from third class to second class to continue operation of combined electric and water system under provisions of KRS 96.171 to 96.188 - When.
- 96.320 .....Operation of waterworks in second-class cities - Commissioners of waterworks - Employees - Reports.
- 96.330 .....Disposition of revenue from waterworks in second-class city.
- 96.530 .....Operation of electric light, heat, and power plants - Utility commission.
- 97.405 .....Powers and duties of boards of park commissioners vested in cities of second class.
- 97.441 .....Powers and duties of second class cities over parks and boulevards.
- 97.455 .....Board of park commissioners - Membership - Appointment - Term - Removal.
- 100.253 ....Existing nonconforming use, continuance - Change - Effect of nonconforming use of ten years' duration - Application.
- 132.400 ....Bond of property valuation administrator.
- 147.640 ....Area council - Membership - Relation to commission.
- 162.440 ....Insurance fund for boards of education in cities of the second class or counties containing cities of the second class.
- 162.450 ....Payments into fund - Replacement of expenditures - Use of interest.
- 165.160 ....Municipal colleges in cities of second class - Establishment - Board of trustees - Advisory board prohibited.
- 165.165 ....Bond issue for municipal college.
- 165.170 ....Tax levy for municipal college - Amount - Disposition.
- 165.175 ....Municipal college support district.
- 165.180 ....Appropriation of funds other than taxes.
- 165.190 ....Appropriation of land for college.
- 165.195 ....Acquisition of property by board of trustees.
- 165.210 ....Municipal junior colleges in cities of second class - Establishment and control of.
- 165.220 ....Tax levy for junior college.
- 165.230 ....Tuition charged by junior college.
- 165.240 ....Appropriation of land for junior college.
- 172.170 ....County law library in certain counties containing city of second class.
- 173.340 ....Library board of trustees.
- 179.070 ....General powers and duties of engineer - Requirement of site development plan in certain counties.
- 179.470 ....Maintenance of subdivision roads in counties.
- 181.020 ....Construction and purchase of interstate bridges and tunnels.
- 181.030 ....Counties may issue bonds to pay for bridges or tunnels.
- 181.510 ....Contracts to do away with tolls.
- 181.560 ....Bonds may be issued for construction or purchase of interstate bridges.
- 181.570 ....Bridge commission.
- 183.880 ....Establishment of safety and security department by airport board - Oath by appointees.
- 199.410 ....Exceptions from KRS 199.380 to 199.400 - Application only to counties containing city of second class.
- 212.640 ....City-county health department in county containing city of second class - Establishment - Membership of board.
- 212.650 ....Expense of maintaining city-county department.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 212.690 ....Transfer of property and institutions.
- 212.786 ....Membership of board - Terms - Vacancies.
- 212.855 ....Members of district board of health - Appointment - Terms.
- 242.1292 ..Limited sale precincts in cities of second class.
- 243.030 ....Distilled spirits and wine licenses - Kinds - Fees.
- 382.220 ....General index of real property records in counties containing second-class city -  
Contracts for indexing work.
- 424.220 ....Financial statements.

### Statutes Relating to Cities of the Third Class

- 15.705 .....Prosecutors Advisory Council.
- 15.755 .....Compensation of Commonwealth's attorney and staff - Monthly expense allowance -  
Compensation adjusted - Private law practice regulated.
- 62.055 .....Bonds of county clerks.
- 82.095 .....Supplemental taxes levied by city of third or fourth class in county containing city of  
first class.
- 90.3 10 .....Adoption of civil service ordinance - Civil service commission.
- 90.350 .....Appointments - Promotions.
- 90.360 .....Dismissal, suspension or reduction.
- 90.410 .....Pension fund in cities of the third class - Increase in benefits - Coverage provided in  
County Employees Retirement System after August 1, 1988.
- 92.250 .....Board of supervisors in cities of third class.
- 92.300 .....Exemptions from city taxation.
- 92.420 .....Assessment date for city taxation.
- 92.460 .....Assessment list and assessment procedure in cities of third class.
- 92.470 .....Omitted property or irregular or improper assessment in cities of third class.
- 92.480 .....Equalization of assessments in cities of third class.
- 92.570 .....Tax bills, how made out and delivered in cities of third class.
- 92.590 .....Time and manner of paying taxes in cities of second, third and fourth classes -  
Discounts, interest and penalties.
- 95.497 .....Hours of work and annual leave for members of police department - Cities of third  
class.
- 95.505 .....Fire fighters, hours off duty - Cities of third class.
- 95.520 .....Pension fund - Board of trustees - Coverage provided in County Employees  
Retirement System after August 1, 1988.
- 95.530 .....Board of trustees - Members - Officers.
- 95.540 .....Rules, applications - Records - Reports.
- 95.550 .....Pensions for disability or death in cities of the third class - Beneficiaries - Amounts.
- 95.560 .....Pensions on retirement - Increase.
- 95.565 .....Credit under pension system for time spent in Armed Forces.
- 95.570 .....Funeral benefit.
- 95.580 .....Sources of pension fund in cities of the third class.
- 95.590 .....Pension fund custody.
- 95.600 .....Pension fund investment.
- 95.610 .....Pension fund, payments to - Disbursements - Insufficient funds.
- 95.621 .....Adoption of alternative fund, effect - Members excluded, how - Coverage provided in  
County Employees Retirement System after August 1, 1988.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 95.622 ..... Pension fund created - Board of trustees, members, officers, powers.
- 95.624 ..... Pensions - Service retirement - Disability pensions - Survivor's benefits - Increase in benefits.
- 95.625 ..... Military service of member, effect.
- 95.627 ..... Pension fund, sources - Use.
- 95.629 ..... City's obligation - Pension fund support by city, how computed.
- 95.761 ..... Adoption of civil service, employees retirement system, and police and firefighters' pension plan - Exemptions from classified service - Limitations on creation of new fund after August 1, 1988.
- 96.060 ..... Third-class city may grant rights of way to utilities - Conditions.
- 96.165 ..... City classified from third class to second class to continue operation of combined electric and water system under provisions of KRS 96.171 to 96.188 - When.
- 96.170 ..... Power of third-class city to furnish utility services.
- 96.351 ..... Waterworks or waterworks and sewerage commissions in cities of third class in counties of more than 50,000, other than counties with a city of first class or urban-county government.
- 97.530 ..... Powers of third-class cities with respect to parks, cemeteries, squares, avenues and fountains.
- 179.470 ..... Maintenance of subdivision roads in counties.
- 243.030 ..... Distilled spirits and wine licenses - Kinds - Fees.

### Statutes Relating to Cities of the Fourth Class

- 61.080 ..... Incompatible offices.
- 82.095 ..... Supplemental taxes levied by city of third or fourth class in county containing city of first class.
- 91A.400 ..... Restaurant tax in cities of fourth and fifth classes.
- 92.260 ..... Supervisors of taxes in cities of the fourth class.
- 92.300 ..... Exemptions from city taxation.
- 92.420 ..... Assessment date for city taxation.
- 92.490 ..... Assessment list and assessment procedure in cities of fourth class - Census.
- 92.500 ..... Assessment in wrong name in cities of fourth class - Failure to give true list of taxable property – Omitted property.
- 92.510 ..... Equalization of assessments in cities of fourth class.
- 92.580 ..... Tax bills, how made out and delivered in cities of fourth class.
- 92.590 ..... Time and manner of paying taxes in cities of second, third and fourth classes - Discounts, interest and penalties.
- 95.710 ..... Qualifications of members of police and fire departments.
- 95.715 ..... Firemen, hours off duty - Cities of fourth class.
- 95.760 ..... Oath of policemen.
- 95.768 ..... Pension fund in cities of the fourth class - Purpose - Investment - Coverage provided in County Employees Retirement System after August 1, 1988.
- 95.783 ..... Repeal of pension fund ordinance - Disposition of funds.
- 95.785 ..... Effect of adoption of KRS 95.761 to 95.784 on other statutes.
- 96.070 ..... Fourth-class city may grant rights of way to utilities - Conditions.
- 96.190 ..... Power of fourth-class cities to furnish utility services - Power to regulate rates and service of utilities operating under old franchises.
- 96.195 ..... City of the fourth class may issue interest-bearing warrants for improvements and extensions to waterworks or electric plant.

## 5. STATUTES RELATING TO EACH CLASSIFICATION (LRC MEMO 472)

- 96.340 .....Punishment for damaging waterworks in fourth-class city - Connections with pipes or mains.
- 97.550 .....Fourth-class cities may acquire property for parks - Park board created - Terms of office.
- 97.590 .....Tax levy - Disbursements.
- 100.209 ....Amendment of comprehensive plan prior to annexation permitted - Land use management regulation in newly annexed or reclassified territory.
- 242.127 ....Sale of distilled spirits in city of the fourth class - Local option election.
- 242.185 ....Ordinance permitting limited sale of alcoholic beverages by the drink - Application - Regulatory fee.
- 243.030 ....Distilled spirits and wine licenses - Kinds - Fees.
- 243.033 ....Caterer's license.
- 243.230 ....Premises for which retail package, drink, and malt beverage licenses may be issued.
- 244.290 ....Closed times for retail premises - Sunday sales.

### Statutes Relating to Cities of the Fifth Class

- 81A.520....Annexation of impoundments of water by cities of the fifth class.
- 91A.400....Restaurant tax in cities of fourth and fifth classes.
- 92.270 .....Board of equalization in cities in fifth and sixth classes.
- 92.420 .....Assessment date for city taxation.
- 92.520 .....Assessment list and assessment procedure in cities of fifth and sixth classes.
- 92.530 .....Equalization of assessments in cities of fifth and sixth classes.
- 96.210 .....Power of fifth-class city to furnish water and light.
- 160.200 ....Time of election of board members.

### Statutes Relating to Cities of the Sixth Class

- 62.055 .....Bonds of county clerks.
- 70.330 .....Vacancy in constable's office in district containing city of sixth class - Marshal may act as.
- 91A.040....Annual city audits - Exception.
- 92.270 .....Board of equalization in cities in fifth and sixth classes.
- 92.281 .....Levy of all taxes authorized by Constitution Section 181 - Exceptions - Occupational tax.
- 92.290 .....Situs for taxation in cities of third, fifth and sixth classes.
- 92.420 .....Assessment date for city taxation.
- 92.520 .....Assessment list and assessment procedure in cities of fifth and sixth classes.
- 92.530 .....Equalization of assessments in cities of fifth and sixth classes.
- 95.019 .....Chief of police and police force to have common law and statutory powers of constables and sheriffs.
- 96.220 .....Power of sixth-class city to furnish water and light.
- 96.5405 ....Sale, lease, or transfer of utility system in emergency by city of sixth class - Procedure.
- 179.470 ....Maintenance of subdivision roads in counties.
- 184.020 ....Establishment of public road district - Preparation of map - Estimate of cost.
- 424.220 ....Financial statements.

The Kentucky League of Cities (KLC) is a membership association serving more than 365 Kentucky cities. KLC is governed by an Executive Board representing communities of all sizes and is comprised of elected and nonelected officials. The larger Board of Directors develops an annual legislative agenda, reviews policy issues and provides feedback on legislative strategy. KLC houses multiple businesses under one roof, including the membership association and affiliates dealing mostly with insurance and financial services.

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