

ORDINANCE NO. 95- 06

**AN ORDINANCE RELATING TO THE SCOPE OF THE SUBDIVISION
REGULATIONS OF MADISON COUNTY, KENTUCKY**

WHEREAS, this Court adopted subdivision regulations as set forth in Ordinance No. 94-02, as last amended July 11, 1995; and

WHEREAS, to the extent permitted by Kentucky Revised Statutes and the common law of the Commonwealth of Kentucky, this Court intends that said subdivision regulations shall govern each and every subdivision of land within the limits of Madison County; and

WHEREAS, pursuant to KRS 100.131 Area of Jurisdiction, the cities of Richmond and Berea have formed independent city planning units and are exercising extraterritorial jurisdiction for the purpose of subdivision regulations; and

WHEREAS, the question has been raised as to whether or not the County's subdivision jurisdiction overlaps the extraterritorial subdivision jurisdiction of the cities of Richmond and Berea; and

WHEREAS, this Court does not want to burden its constituents who are within said cities extraterritorial subdivision jurisdiction with a dual subdivision approval process.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF MADISON, COMMONWEALTH OF KENTUCKY:

1. That Ordinance No. 94-02, as amended, shall not require subdivision approval by the Madison County Fiscal Court if the land is within the extraterritorial subdivision jurisdiction or incorporated areas of the cities of Richmond and/or Berea;
2. however, should KRS 100.131, Area of Jurisdiction, be amended or repealed;
3. or if a Court of competent jurisdiction authorize Kentucky counties to supersede the extraterritorial subdivision jurisdiction of independent city planning;
4. or, if the cities of Richmond and/or Berea agree to reduce or eliminate their extraterritorial jurisdiction;
5. then, the subdivision regulations adopted by the Madison County Fiscal Court shall govern all lands within Madison County that is not within the subdivision jurisdiction of said Cities.

THIS ORDINANCE NO. 95- 06 SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

INTRODUCED, SECONDED AND GIVEN FIRST READING APPROVAL at a duly convened meeting of the Fiscal Court of Madison County, Kentucky held on the 10 day of October, 1995.

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Madison County, Kentucky, held on the 14th day of November, 1995, and of record in Fiscal Court Order Book _____, Page _____.

DATE ADOPTED: 11-14-95

MOTION BY: Bill Strong

SECONDED BY: Forniss Park

VOTE:

YES NO

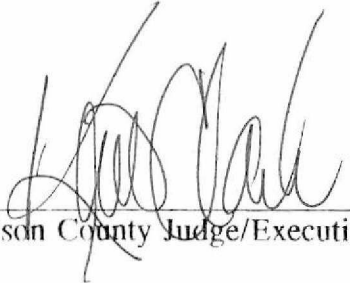
Magistrate William Strong

Magistrate Peggy Rice

Magistrate Forniss Park

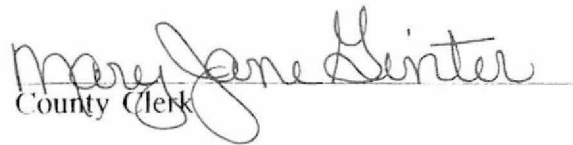
Magistrate Larry Combs

Judge Kent Clark



Madison County Judge/Executive

Attest:



County Clerk