

ORDINANCE NUMBER 351.0

AMBULANCE TAXING DISTRICT

AN ORDINANCE OF AND BY THE PENDLETON COUNTY FISCAL COURT ESTABLISHING A SPECIAL AMBULANCE TAXING DISTRICT PURSUANT TO KRS 108.105, ALONG WITH ALL NON-CONFLICTING PROVISIONS OF KRS 108.080 THROUGH KRS 108.180.

WHEREAS, the Pendleton County Fiscal Court has provided Ambulance Service to the citizens of Pendleton County through revenue generated in its county budget, and

WHEREAS, such ambulance service has been provided by the county since 1991 to include basic life support along with advanced life support, and

WHEREAS, due to increases in cost and the number of calls for ambulance services, the Pendleton County Fiscal Court has been forced to add an additional ambulance crew and to seek advisement from our constituent base so as to build a solid future for the ambulance service, and

WHEREAS, a group of approximately 40 interested Pendleton County citizens have met and after researching this issue, has advised the Pendleton County Fiscal Court to create a Special Ambulance Taxing District.

NOW THEREFORE, be it hereby ordained by the Fiscal Court of the County of Pendleton, Commonwealth of Kentucky, as follows:

SECTION I

There is hereby created a Special Ambulance Taxing District pursuant to KRS 108.105, along with all non-conflicting provisions of KRS 108.080 through KRS 108.180, which shall have all the powers and duties as set out or anticipated therein.

SECTION II

The special taxing district board shall be appointed no later the thirty (30) days after the adoption and final publication of this ordinance. The board shall set the tax rate each year as prescribed in KRS 132.0225. The initial tax rate shall be set on or about August 2009, not to exceed ten cents (\$0.10) per one hundred dollars (\$100) of full assessed valuation, as defined in KRS 108.105 (3). The district board may also set a tax rate on tangible property, autos, boats and planes not to exceed the aforementioned rate as defined in KRS 108.105 (3). The board shall set such tax rate based on needed revenue to provide adequate and cost effective ambulance service to the citizens of Pendleton County that are not currently a part of an existing district providing such a service.

SECTION III

Because tax revenue cannot be collected from the newly created Special Ambulance Taxing District until October 1, 2010, and as the county is providing ambulance service through a contract with a provider until July 31, 2010, it is hereby directed through this ordinance that the Special Ambulance Taxing District Board shall only serve as an advisory board to the Pendleton County Fiscal Court until July 31, 2010, with exception of setting the tax rate as provided in Section II of this ordinance. The Ambulance Board will begin contract negotiations or research direct ambulance service on or about June 1, 2010 in order to take over full and complete administrative ambulance service for the district beginning August 1, 2010. The Fiscal Court will provide the needed revenue in order for the district to provide ambulance service through the months of August, September, October, and if need be November, or until sufficient revenue is collected to administer ambulance service.

SECTION IV

The Special Ambulance Taxing District shall be comprised of a six (6) members; three (3) members from the County of Pendleton, two (2) members from the City of Falmouth and one (1) member from the City of Butler as defined pursuant to KRS 108.110 (1) (b) & (d). Pursuant to KRS 108.110 (2) each member shall reside within the district and within the county or city of which he or she was appointed to represent.

SECTION V

This ordinance shall establish the Special Ambulance Taxing District as identified in Section II of this ordinance and all board members shall be appointed by the appropriate jurisdiction as defined pursuant to KRS 108.110 (1) (b) & (d) no later than 30 days following such establishment of this ordinance pursuant to KRS 108.110 (3). The board members shall be appointed for a term of two (2) years each, except that initially the appointing authority shall appoint a minority of the board members for one (1) year terms. Subsequent terms shall all be for two (2) years. Any vacancy shall be filled by the appointing authority for the unexpired term. A board member may be removed from office as provided by KRS 65.007.

SECTION VI

The Special Ambulance Taxing District Board shall meet no less that one (1) meeting per month and shall appoint at its first meeting a Chairman, Vice Chairman, Secretary and Treasurer. By-Laws and protocol for conducting board meetings shall be developed and approved as soon as possible after the first meeting and shall comply

with all sections of KRS 108.110. The Ambulance District Board shall provide a bond for all board members as provided by law.

SECTION VII

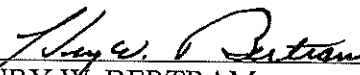
All equipment now belonging to the county including the ambulance quarters shall be leased to the Ambulance Taxing District at the rate of \$1.00 per year beginning August 1, 2010. Due to the fact that equipment life expires, all equipment after its normal useful life has expired, as determined by the board, shall be the property of the board and shall be disposed of using the manner outlined in KRS 45A.425. The ambulance quarters at 705 West Shelby St., Falmouth, Kentucky 41040 shall always remain the property of the County of Pendleton and shall be leased to the Ambulance District Board for \$1.00 per year as long as needed by the district. At any time that the district is abolished or discontinues to perform adequate ambulance service, the county fiscal court, shall dissolve the district and any and all assets of the district shall revert back to the county.

SECTION VIII


The provisions of this ordinance are severable. If any sentence, clause or section or part of this ordinance or the application thereof to any particular case is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or part of this ordinance, it being the legislative intent of this body to ordain and enact such provision, section, paragraph, sentence, and part hereof separately and independently of such other provision.

SECTION IX

This Ordinance shall be in full force and effective upon passage, publication, and recording, according to law.


HENRY W. BERTRAM
Pendleton County Judge

Executive
ATTEST:


VICKY KING
Pendleton County Fiscal Court Clerk

FIRST READING: April 28, 2009
SECOND READING: May 12, 2009
PASSAGE: May 12, 2009
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