
Judge/Executive Darrell L. Link presented for a First Reading, Ordinance No. 02-2014-673, enacting and adopting a Supplement to the Code of Ordinances of the County of Grant, Kentucky, along with the Notice to run in the local paper showing a Second Reading to be held on June 16, 2014, at 7:00 P.M. or as soon thereafter as possible.

Motion of Richard Austin, seconded by Bobby Young to approve the First Reading of Ordinance No. 02-2014-673, enacting and adopting a Supplement to the Code of Ordinances of the County of Grant, Kentucky, along with the Notice to run in the local paper showing a Second Reading to be held on June 16, 2014, at 7:00 P.M. or as soon thereafter as possible.

The following votes were taken: Wanda Hammons, Magistrate 2nd District, votes, yes, Bobby Young, Magistrate 3rd District, votes, yes, Richard Austin, Magistrate 1st District, votes, yes, and Hon. Darrell Link, County Judge/Executive, votes, yes.

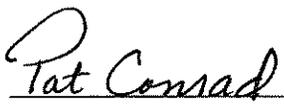
NOTICE

The Grant County Fiscal Court will hold the second reading of Ordinance No. 02-2014-673 Enacting and Adopting a Supplement to the Code of Ordinances of the County of Grant, in the Grant County Second Floor Court Room, Grant County Courthouse, 101 North Main Street, Williamstown, Kentucky 41097, on Monday, June 16, 2014, at 7:00 P.M. or as soon thereafter as possible. All interested citizens are invited to attend the second reading of this Ordinance.

A copy of the proposed Ordinance may be seen in the Office of the County Judge/Executive during normal business hours.

Dated this the 02nd day of June, 2014.

ATTEST:



PAT CONRAD
FISCAL COURT CLERK



DARRELL L. LINK
GRANT COUNTY JUDGE/EXECUTIVE

ORDINANCE NO. 02-2014-673

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE COUNTY OF GRANT, KENTUCKY

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2013 S-1 Supplement to the Code of Ordinances of the County of Grant, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes; and

WHEREAS, it is the intent of the Grant County Fiscal Court to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky;

NOW, THEREFORE, BE IT ORDAINED BY THE GRANT COUNTY FISCAL COURT:

SECTION 1. That the 2013 S-1 Supplement to the Code of Ordinances of the County of Grant, Kentucky as submitted by American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage, approval and publication as required by law.

Given first reading and ordered published according to law this the 02nd day of June, 2014.

Given second reading and adopted by a majority vote of the Grant County Fiscal Court on this the _____ day of June, 2014.

ATTEST:

GRANT COUNTY FISCAL COURT

FISCAL COURT CLERK

GRANT COUNTY JUDGE/EXECUTIVE

GRANT COUNTY, KENTUCKY
Instruction Sheet
2013 S-1 Supplement

REMOVE OLD PAGES

INSERT NEW PAGES

Title Page

Title Page

ADOPTING ORDINANCE

—

29, 30

TITLE III: ADMINISTRATION

1, 2
6A, 6B
14A, 14B
66C through 66H
77 through 80

1, 2
6A, 6B
14A, 14B
66C through 66H
77 through 80

TITLE IX: GENERAL REGULATIONS

35, 36

35, 36

TITLE XV: LAND USAGE

13, 14

13, 14

TABLE OF SPECIAL ORDINANCES

5, 6
37, 38

5, 6
37, 38

PARALLEL REFERENCES

3 through 4B
7, 8
17, 18

3 through 4B
7, 8
17, 18

INDEX

4A, 4B

4A, 4B

GRANT COUNTY, KENTUCKY

CODE OF ORDINANCES

2013 S-1 Supplement contains:

Local legislation current through Ord. 11-2013-671, passed 12-16-13

State legislation current through 2013

AMERICAN LEGAL PUBLISHING CORPORATION

432 Walnut Street Cincinnati, Ohio 45202-3909 (800) 445-5588

ORDINANCE NO. 01-2013-662

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT
TO THE CODE OF ORDINANCES OF THE COUNTY OF GRANT, KENTUCKY

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2012 S-1 supplement to the Code of Ordinances of the County of Grant, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes; and

WHEREAS, it is the intent of the Grant County Fiscal Court to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky;

NOW, THEREFORE, BE IT ORDAINED BY THE GRANT COUNTY FISCAL COURT:

SECTION 1. That the 2012 S-1 supplement to the Code of Ordinances of the County of Grant, Kentucky, as submitted by American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage, approval, and publication as required by law.

Given first reading and ordered published according to law this the 22nd day of January, 2013.

Given second reading and adopted by a majority vote of the Grant County Fiscal Court on this the 18th day of February, 2013.

ATTEST:

GRANT COUNTY FISCAL COURT

Patricia A. Conrad /s/
FISCAL COURT CLERK

Darrel L. Link /s /
GRANT COUNTY JUDGE/EXECUTIVE

TITLE III: ADMINISTRATION

Chapter

- 30. FISCAL COURT**
- 31. COUNTY OFFICIALS AND EMPLOYEES**
- 32. DEPARTMENTS, COMMISSIONS,
AND AUTHORITIES**
- 33. COUNTY JAIL**
- 34. PERSONNEL POLICIES**
- 35. TAXATION; FINANCIAL MANAGEMENT**
- 36. DISCRIMINATION BASED ON
HANDICAPPED STATUS; EQUAL OPPORTUNITY;
AFFIRMATIVE ACTION PROGRAM**
- 37. PUBLIC RECORDS**
- 38. COUNTY POLICIES**

- (15) Thence in a northern direction along the corporate limits of the City of Dry Ridge to a point in the center of Clay Lick;
- (16) Thence westerly along the center of Clay Lick and the corporate limits of the City of Dry Ridge to a point in the center of Clay Lick, said point being a point where the corporate limits of the City of Dry Ridge and the corporate limits of the City of Williamstown rejoin;
- (17) Thence westerly along the center of Clay Lick and the common corporate limits of the City of Dry Ridge and the City of Williamstown to a point in the center of Clay Lick, said point being the terminus of said common corporate limits line;
- (18) Thence southerly along the corporate limits of the City of Williamstown to a point in the center of Baton Rouge Road;
- (19) Thence southwesterly along the centerline of Baton Rouge leaving the corporate limits of the City of Williamstown and eventually rejoining the corporate limits of the City of Williamstown to a point in the center of Baton Rouge Road;
- (20) Thence leaving Baton Rouge Road in a southerly direction and following the corporate limits of the City of Williamstown to a point in the center of Williams Branch;
- (21) Thence westerly with the center of said branch, leaving and eventually rejoining the corporate limits of the City of Williamstown to a point at the intersection of Williams Branch and Clark's Creek ;
- (22) Thence southerly with the center of Clark's Creek and the corporate limits of the City of Williamstown, eventually leaving said corporate limits (following the center of Clark's Creek) to a point in the center of State Highway 36;
- (23) Thence northwesterly along the centerline of State Highway 36 to the intersection of State Highway 22;
- (24) Thence southwesterly along the centerline of State Highway 22 to a point in the Grant/Owen County line;
- (25) Thence southeasterly with the Grant/Owen County line to a point in the Grant/Scott line;
- (26) Thence northeasterly with the Grant/Scott County line to a point in the Grant/Harrison County line;
- (27) Thence northeasterly with the Grant/Harrison County line to the place of beginning.

(B) MAGISTERIAL DISTRICT #2 BOUNDARY LINE Population: 8147

Beginning at a point in a branch approximately 3,300 feet on the north side of Fairview road, said point being on the Grant/Pendleton County line; thence with the following calls further describing the boundary line for Magistrate District #2;

- (1) Meandering in a southwesterly direction along the center of said branch to a point in the center of the existing Lake Williamstown Dam;
- (2) Thence westerly along the center of Lake Williamstown to a point in the center of the South Fork of Grassy Creek;
- (3) Thence meandering in a westerly direction along the center of the South Fork of Grassy Creek to a point in the corporate limits of the City of Williamstown;
- (4) Thence leaving the South Fork of Grassy Creek in a westerly direction with the corporate limits of the City of Williamstown to a point eventually rejoining the center of the South Fork of Grassy Creek;
- (5) Thence in a westerly direction along the center of the South Fork of Grassy Creek and with the corporate limits of the City of Williamstown to a point in the east line of the Hogan's Mill Subdivision, said point being a point in the corporate limits of the City of Dry Ridge;
- (6) Thence following the southern property line of the Hogan's Mill Subdivision and with the common corporate limits of the City of Dry Ridge and the City of Williamstown to a point in the center of U.S. Highway 25;
- (7) Thence westerly leaving the center of U.S. Highway 25 with the common corporate limits of the City of Dry Ridge and the City of Williamstown, crossing the Norfolk Southern Railway to a point in the west right-of-way line of said Railway;
- (8) Thence in a northerly direction along the west right-of-way line of the Norfolk Southern Railway and with the common corporate limits of the City of Dry Ridge and the City of Williamstown approximately 600 feet to a point in the west right-of-way line of the Norfolk Southern Railway;
- (9) Thence westerly leaving the common corporate limits of the City of Dry Ridge and the City of Williamstown with the northern corporate limits of the City of Williamstown to a point in the west right-of-way line of Interstate Highway 75, said point rejoining the common corporate limits of the City of Dry Ridge and the City of Williamstown;
- (10) Thence southerly with the west right-of-way line of Interstate Highway 75 and the common corporate limits of the City of Dry Ridge and the City of Williamstown to a point in the centerline of Baton Rouge Road;

(C) No person shall be selected as a member of a board or commission or for an administrative position if such person holds or is employed in a position which is incompatible with the one for which nominated.

(D) In the event the Fiscal Court rejects the nominee, the County Judge/Executive shall submit additional nominations, not to exceed ten for any one position; and if Fiscal Court rejects all ten, the County Judge/Executive shall appoint a person to serve on a temporary basis, not to exceed one year.

(E) When Fiscal Court approval of an appointment is not required by state law, the County Judge/Executive shall make such appointment. Within 30 days of making the appointment, the County Judge/Executive shall notify the Fiscal Court in writing of the appointment. Such notice may be filed

with the County Clerk.

(F) Before any administrative personnel, board or commission member may be dismissed; such person shall be presented, in writing, a list of reasons for the dismissal. A hearing shall be conducted by the County Judge/Executive no sooner than three and no later than 21 days after receipt of the reason for dismissal. At such hearing, the person sought to be dismissed shall have an opportunity to make a statement on his/her behalf, to be represented by anyone of his/her choosing and to call witnesses that may testify. The County Judge/Executive shall issue a written opinion that shall contain the facts upon which his determination is based.

(Ord. 37-2000-374, passed 9-18-00)

§ 31.28 PROCEDURES FOR ORGANIZATION/REORGANIZATION OF COUNTY DEPARTMENTS AND AGENCIES.

(A) The County Judge/Executive shall submit to Fiscal Court a written plan that describes the services and functions to be performed by each department, agency, commission or special district to be created

§ 31.29 PROCEDURES AND REPORTS TO FISCAL COURT BY COUNTY ADMINISTRATIVE AGENCIES AND PUBLIC AUTHORITIES.

(A) All county administrative agencies and public authorities subject to the Fiscal Court by law, shall quarterly submit a list to the County Judge/Executive of any citizen complaints during the preceding three month period, which includes steps taken to correct the situation. The County Judge/ Executive may request such reports be filed more often.

(B) Each administrative agency and public authority authorized and established by the county shall submit an annual report to the County Judge/Executive within 75 days after the close of each fiscal year. The report must include at a minimum:

(1) A descriptive narrative of the functions and activities of the authority.

(2) Those items required by KRS 65.070 in full with each report. Also, the referenced statute requires filing with the County Clerk office by the first day of July each year.

(C) Each administrative agency and public authority shall file a copy of its annual budget and audit with the County Judge/Executive as required by KRS 65.070.

(D) All meetings of boards, commissions, public authorities and special districts shall be open to the public, unless exempt by KRS 61.810. A record of the proceedings of each meeting shall be maintained in the form of minutes of each entity and be available for public inspection.

(E) The County Judge/Executive shall make a verbal report with recommendations to the Fiscal Court at the next meeting following the receipt of any of the above-required reports. The reports of the authorities shall be made available to the Fiscal Court for review.

(Ord. 37-2000-374, passed 9-18-00)

§ 31.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is otherwise provided shall be subject to the penalty provided in § 10.99.

(B) Any person who violates the provisions of § 31.02 related to prohibited activities on election day after he has been duly notified of such provisions by the sheriff of the election precinct shall be guilty of a violation and fined not more than \$50 for each offense. (Ord. 10-85-33, passed 12-5-85)

(C) Failure to comply with § 31.17 shall be deemed a misdemeanor and carry a penalty of \$500 initially and \$50 for each day they are in noncompliance. (Ord. 33-94-158, passed 11-18-94)

(F) The County Treasurer is the sole officer bonded to receive and disburse county funds.
(Ord. 37-2000-374, passed 9-18-00)

§ 35.18 PROCEDURES FOR FISCAL ADMINISTRATION.

County Judge/Executive.

(A) The County Judge/Executive is responsible for administering the provisions of the County Budget Ordinance when adopted by the Fiscal Court. All or part of the financial management duties may be assigned to a finance officer job description and may include, but not be limited to:

- (1) Receipt of all claims against the county;
- (2) Prepare and submit a master claims list to the Fiscal Court for review;
- (3) Prepare checks on claims reviewed by the Fiscal Court;
- (4) Co-sign all checks with the County Treasurer;
- (5) Maintain an appropriations ledger;
- (6) Prepare a quarterly financial statement, which shall be transmitted to the Fiscal Court and State Local Finance Officer, as well as post it for ten consecutive days in a conspicuous place near the front door of the courthouse;
- (7) Read the quarterly financial statement at the next Fiscal Court meeting;
- (8) Reconcile the appropriation ledger with the treasurer's appropriation ledger at least once a month;
- (9) Issue purchase orders and maintains a purchase order ledger;
- (10) Maintain time records, including vacation, sick leave, etc.

(B) The County Judge/Executive shall pay all financial claims against the county after review by the Fiscal Court. However, some claims as outlined in § 35.19(E) may be paid prior to Fiscal Court review. All such claims shall be within the line item amounts of the county budget.

(C) The County Judge/Executive shall be responsible for preparing and signing of all warrants directing the County Treasurer to make a payment authorized by Fiscal Court and maintaining a record of such warrants.

(D) At the close of each fiscal year, the County Judge/Executive will be responsible for the preparation of records necessitated by the annual county audit and audit of his/her office. The state auditor of public accounts or a certified public accountant may conduct the annual audits.
(Ord. 37-2000-374, passed 9-18-00)

§ 35.19 CLAIMS AGAINST THE COUNTY.

(A) The County Judge/Executive shall account for all claims against the county.

(B) Anyone with a claim for payment from county funds shall file it in writing.

(C) Each claim shall be recorded by date of receipt and presented to the Fiscal Court at its next meeting.

(D) Each claim shall designate the budget fund and classification from which the claim will be paid, and each warrant shall specify the budget fund and classification.

(E) The payroll for county officials, employees, utility bills and recurring expenses (also known as regular bills), such as interest and principal on bonded debt, are not required to be reviewed by the Fiscal Court prior to payment. However, all such paid expenses shall be presented to the Fiscal Court for review at the next regular meeting. This procedure is intended to expedite financial management of the county, but may be changed by the Fiscal Court. The Court, for good cause, may order that a claim not be paid.

(Ord. 37-2000-374, passed 9-18-00)

COLLECTION OF SUBSCRIBER FEES/MEMBERSHIP DUES FOR FIRE DEPARTMENTS

§ 35.30 DEFINITIONS.

For the purpose of this subchapter the following terms shall be deemed to have the meaning indicated below:

DISTRICT. Refers to all five volunteer fire departments located within Grant County, Kentucky.

MANUFACTURED HOME PARK. Any lot, parcel, or premises subdivided, designed, maintained, intended, and/or used to accommodate three or more manufactured homes, and that meets the requirements as specified in this subchapter. For the purpose of this subchapter, any lot or premises used for the wholesale or retail sale of manufactured homes shall not be included within this definition.

MEMBERSHIP DUES/SUBSCRIBER FEES. Fees/dues which are levied by a volunteer fire department in order to provide fire protection services for a certain tract of land in lieu of assessing a charge for fire protection services actually performed.

PROPERTY OWNER. A property owner is an individual who owns a tract of real estate, or who owns a manufactured home, located in a manufactured home park, as defined in the county zoning ordinance, Article 7, Section 7.0, within the geographical limits of Grant County, Kentucky. (Ord. 03-2012-656, passed 5-7-12; Am. Ord. 03-2012-656, passed 7-1-13)

§ 35.31 COLLECTION AND ENFORCEMENT.

For the purpose of this subchapter, the following duties shall be established and the dues/fees shall be collected as follows:

(A) *County Clerk.* Shall have the duty of placing the membership dues/subscriber fees upon the property tax bills, on properties located within Grant County, excepting those within the incorporated city limits of Dry Ridge and Williamstown, Kentucky. The membership dues shall be separate from taxes owed, so as to allow the property owner to ascertain the amount owed.

(B) *Grant County Sheriff.* Shall have the duty of collecting the membership dues/subscriber fees while collecting all taxes listed on the property tax bill. In accordance with KRS 75.450(8), the Grant County Sheriff shall retain a collection fee of 4.25% of the membership dues/subscriber fees collected. Upon collection, the Grant County Sheriff has the duty then to distribute the collected dues/fees to the five volunteer fire departments. The Grant County Sheriff shall distribute the funds to the district in which the property is located. (Ord.03-2012-656, passed 5-7-12; Am. Ord. 10-1-12; Am. Ord. 03-2012-656, passed 7-1-13)

§ 35.32 MEMBERSHIP DUES/SUBSCRIBER FEES.

The following membership dues/subscriber fees shall be in place upon adoption of this subchapter.

(A) *Property owner dues/fees.* Membership dues as established annually by the Grant County Fiscal Court shall be added to the property tax bill of every property owner, as to each tract of real estate located within Grant County, Kentucky, excepting the incorporated geographical limits of the City of Dry Ridge and City of Williamstown, Kentucky. Membership dues may not exceed \$25 per parcel.

(B) *Establishment of fire district fees.* Each Magistrate shall submit any suggested increase or decrease in the amount of the membership dues of each respective fire district, within their area, to the Judge Executive, in sufficient time that their proposal may be considered, and a new ordinance passed, in time for the Court to certify to the Grant County Clerk, in writing, no later than May 15 of each year, the amount of the membership dues for each respective district. In the event a Magistrate fails to submit proposed changes to the annual dues of the fire district in time for passage of an ordinance, before May 15, or if the new ordinance does not pass, the dues for that fire district shall remain the same as the prior year and the County Clerk's Office shall rely upon same in the printing of property tax bills.

(C) *Requirements regarding dues.* All dues referenced herein shall be not be seen as mandatory. Each taxpayer owning real estate, however, will be required to pay the dues at the time the tax bill is paid. The Grant County Sheriff cannot accept partial payment for taxes, and thus this amount must be paid at the time all taxes are paid to the Sheriff. The property owner may, however, after paying the dues owed on the tax bills, opt out of the membership by completing the attached refund petition, which is incorporated within this subchapter by reference, as Exhibit "A" attached to Ord. 03-2012-656. The attached refund petition must be completed within 30 days from the date the tax bill is paid for the request to be processed. Upon completion by the land owner, the petition to request refund of the fire district's membership dues shall be mailed or delivered to the affected volunteer fire department to the attention of the Chief of the Fire Department. Each department shall refund the monies paid for membership dues to the property owner within 60 days after the filing of the petition with the volunteer fire department.

(D) *Permanent opt out petition.* Given the fact that all dues referenced herein are not mandatory in nature, any property owner may give notice to the Office of the County Clerk requesting that any tract of land subject to a tax bill be permanently opted out of the assessment of the fire district dues by completing a petition to permanently opt out of membership dues in the form described in Exhibit "B", attached to Ord. 03-2012-656, no later than July 1 of any calendar year. In such event, the Office of the County Clerk shall record in its records that the tract(s) of real estate will be permanently removed from the fire district assessment until such time as the property owner completes an "opt in" form (see Exhibit "C", attached to Ord. 03-2012-656) requesting that the assessment be reinstated to the property tax bill or until such time as the property has been sold or transferred to another property owner, whichever shall occur first.

(E) *Payment of membership fees.*

(1) *Failure to pay.* Should a property owner fail to pay his or her property tax and membership dues, actions will be taken pursuant to KRS 75.450(8). In order to prevent these actions from being taken against the property, the property owner must pay the property tax, as well as the membership dues. As stated previously in this section, should the property owner wish not to become a member of the volunteer fire department district, the property owner shall have the ability to petition for a refund or permanently opt out of the membership.

(2) *Maximum due/fee required of property owners.* If a property owner owns more than one tract of real estate within the limits of any fire district, the property owner shall not be required to pay more than three property owner fees per fire district. In the event that a property owner receives more than three property tax bills per fire district containing a fire district dues assessment, the property owner shall be entitled to a refund from the fire district for the assessments in excess of three property tax bills and continue to receive the benefits of membership. The property owner shall owe no more than \$75 per fire district.

(Ord. 03-2012-656, passed 5-7-12; Am. Ord. passed 10-1-12; Am. Ord. 03-2012-656, passed 7-1-13)

§ 35.33 ESTABLISH PROCEDURES FOR MANAGING MONEY.

Each department shall comply with the following requirements:

(A) *Annual report.* The volunteer fire departments shall be responsible for preparing an annual report showing the funds collected, yearly, pursuant to this subchapter, and report the findings to the Grant Fiscal Court for review during the month of July of each year.

(B) *Accounting.* Each volunteer fire department shall maintain a book of accounts showing the financial transactions of each department. Each volunteer fire department shall report its account balances to Grant Fiscal Court as a part of its ~~their~~ annual report to Grant Fiscal Court in July of each year. Upon request of Grant Fiscal Court, each volunteer fire department ~~Fire Department~~ shall provide an accounting that includes each check disbursed, including check number, amount, to whom the check was written, and the information as to why the check was disbursed.

(Ord. 03-2012-656, passed 5-7-12; Am. Ord. 03-2012-656, passed 7-1-13)

§ 35.34 RECOGNITION OF FIRE SERVICE.

Grant Fiscal Court recognizes the value and contributions of volunteer fire departments serving the people of Grant County including their volunteers' personal sacrifice, professional training, and their commitment to save lives and property. This subchapter thereby creates a billing service that provides a convenience to both the property owner and the volunteer fire departments.

(Ord. 03-2012-656, passed 5-7-12; Am. Ord. 03-2012-656, passed 7-1-13)

§ 35.35 NOTICE.

All individuals who "opt-out" of the volunteer fire department membership are specifically put on notice that, should a fire occur on their property, the property owner could face and incur charges from the volunteer fire department for fire suppression in accordance with the fees listed in KRS 75.450(2).

(Ord. 03-2012-656, passed 5-7-12; Am. Ord. 03-2012-656, passed 7-1-13)

6. Infrastructure records that expose a vulnerability referred to in this division through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems;

7. The following records when their disclosure will expose a vulnerability referred to in this division: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a public agency; and

8. Records when their disclosure will expose a vulnerability referred to in this division and that describe the exact physical location of hazardous chemical, radiological, or biological materials.

(b) As used in this division, *TERRORIST ACT* means a criminal act intended to:

1. Intimidate or coerce a public agency or all or part of the civilian population;
2. Disrupt a system identified in division (10)(a)6.; or
3. Cause massive destruction to a building or facility owned, occupied, leased, or maintained by a public agency.

(c) On the same day that a public agency denies a request to inspect a public record for a reason identified in this division, that public agency shall forward a copy of the written denial of the request, referred to in KRS 61.880(1), to the executive director of the Kentucky Office of Homeland Security and the Attorney General;

(d) Nothing in this division shall affect the obligations of a public agency with respect to disclosure and availability of public records under state environmental, health, and safety programs;

(e) The exemption established in this division shall not apply when a member of the Kentucky General Assembly seeks to inspect a public record identified in this division under the Open Records Law.

(11) Preliminary drafts, notes, or correspondence with private individuals, other than correspondence which is intended to give notice of final action of a public agency.

(12) Preliminary recommendations and preliminary memoranda in which opinions are expressed or policies formulated or recommended.

(13) All public records or information the disclosure of which is prohibited by federal law or regulation.

(14) Public records or information the disclosure of which is prohibited or restricted or otherwise made confidential by enactment of the General Assembly.

(B) No exemption under this section shall be construed to prohibit disclosure of statistical information not descriptive of any readily identifiable person. In addition, if any public record contains material which is not excepted under this section, the county shall separate the excepted and make the non-excepted material available for examination, subject to the possible applicability of § 37.18.

(C) The provisions of this section shall in no way prohibit or limit the exchange of public records or the sharing of information between public agencies when the exchange is serving a legitimate governmental need or is necessary in the performance of a legitimate government function.

(D) No exemption under this section shall be construed to deny, abridge, or impede the right of a municipal employee, an applicant for employment, or an eligible on a register to inspect and copy any record, including preliminary and other supporting documentation, that relates to him. Such records shall include, but not be limited to work plans, job performance, demotions, evaluations, promotions, compensation, classification, reallocation, transfers, layoffs, disciplinary actions, examination scores, and preliminary and other supporting documentation. A county employee, applicant, or eligible shall not have the right to inspect or copy any examination or any documents relating to ongoing criminal or administrative investigations by any agency.

(KRS 61.878)

§ 37.27 NOTIFICATION OF THE ATTORNEY GENERAL.

The official custodian shall notify the Attorney General of any actions filed against the county in Circuit Court regarding the enforcement of the open records law, KRS 61.870 to 61.884.