

ORDINANCE 10-22

AN ORDINANCE OF THE CITY OF MAYFIELD TO ESTABLISH A CONSENSUAL ANNEXATION INCENTIVE PROGRAM

WHEREAS, growth to and within the City of Mayfield is beneficial to all citizens of Mayfield; and

WHEREAS, pursuant to KRS Chapter 81A, the City of Mayfield has the authority to annex territory into its limits, with one method being the consent of the property owner(s) within the proposed annexed territory (KRS 81A.412); and

WHEREAS, the City of Mayfield wishes to encourage property owners outside of the city limits of Mayfield to seek consensual annexation; and

WHEREAS, any territory annexed into the City of Mayfield receives the benefits of City-provided fire, police, public works, and sewer connection, to name a few; and

WHEREAS, it is the belief of this Council that a reimbursement incentive program allowing for financial incentives to property owners who consent and/or request annexation would be beneficial to those property owners who are annexed while encouraging growth within the City of Mayfield.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MAYFIELD, KENTUCKY
AS FOLLOWS:**

SECTION 1. A new Section of the City of Mayfield, Kentucky, Code of Ordinances entitled, "Consensual Annexation Incentive Program" (hereinafter referred to as "the Program") is hereby adopted for the purpose of offering incentives to property owners who make application for their qualifying property to be annexed into the city limits of the City of Mayfield via the provisions of this Ordinance and KRS 81A.412.

SECTION 2. The Consensual Annexation Incentive Program shall apply to all property owners who own property in a territory that is eligible for annexation into the limits of the City of Mayfield pursuant to KRS 81A.410 and whose application has been approved by the City of Mayfield following the annexation application process. Further, the following provisions shall apply:

- (1) A property owner who owns property in a territory that is eligible for annexation by the City of Mayfield pursuant to KRS 81A.410 may submit an application to the City of Mayfield for consensual annexation pursuant to KRS 81A.412 (hereinafter "the Applicant").

- (2) The proposed annexed territory must be wholly owned by the Applicant or, if not, the Applicant must have obtained written consent from all owners of property located in the proposed annexed territory and submit all such written consents with the application.
- (3) The application process requires the following:
 - a. The completion of an application to be obtained from the City Clerk's Office at the City of Mayfield;
 - b. The payment of a \$500 application fee;
 - c. The submission of written consents from all property owners located in the proposed annexed territory, if applicable; and
 - d. The approval of the application by the City of Mayfield via Ordinance annexing the proposed territory.
- (4) Following approval and annexation into the City of Mayfield, the property owner whose application for annexation was submitted and approved via Ordinance (hereinafter "Property Owner") will be entitled to the following benefits:
 - a. Reimbursement of 50% of City of Mayfield property tax revenues paid by the Property Owner for property owned by the Property Owner in the annexed territory for five (5) calendar years following annexation, to be paid to the Property Owner within three (3) months after each property tax payment has been remitted to the City of Mayfield; and
 - b. Reimbursement of 50% of City of Mayfield insurance premium taxes paid by the Property Owner for property owned by the Property Owner in the annexed territory for five (5) calendar years following annexation, to be paid to the Property Owner within three (3) months after the insurance premium tax payment has been remitted to the City of Mayfield.

SECTION 3. The provisions of this Ordinance are not applicable, and the Incentives identified herein are not available to property owners who own property located in the annexed territory but who did not have an application for voluntary annexation approved by the City of Mayfield. Nor do the provisions of this Ordinance apply to any successors-in-title of property located in the annexed territory even though the predecessor-in-title may have been eligible to participate in the Program, i.e., the Incentives identified in this Ordinance are not transferable.

SECTION 4. The provisions of this Ordinance are declared to be severable. If any section, phrase, or provision shall for any reason be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 5. This Ordinance shall be read on two separate days and become effective upon summary publication pursuant to KRS Chapter 424.

Kathy S. O’Nan, Mayor
City of Mayfield, Kentucky

ATTEST:

Karen Wilson, City Clerk
City of Mayfield, Kentucky

Introduced by the City Council, _____, 2022

Adopted by the City Council, _____, 2022

Recorded by the City Clerk, _____, 2022

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