

COUNTY OF BRECKINRIDGE, KENTUCKY  
ORDINANCE NO. 2011-1017

AN ORDINANCE RELATING TO THE AMENDMENT OF ORDINANCE NO. 2011-0314 RELATING TO THE COLLECTION OF ANNUAL MEMBERSHIP CHARGES OR SUBSCRIBER FEES FOR VOLUNTEER FIRE DEPARTMENTS IN BRECKINRIDGE COUNTY, KENTUCKY.

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF BRECKINRIDGE, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

SECTION I: That Section III, page 2, of Ordinance No. 2011-0314 is hereby amended as follows:

**III. Membership Charges or Subscriber Fees:** The following annual membership charges or subscriber fees shall be added to the property tax bills as authorized by KRS 75.450 and 67.327 upon the adoption of this Ordinance:

A. A membership charge of \$40.00 shall be added to the property tax bill of every property owner located within a certified volunteer fire department area, and said charge shall include the following discounts and penalties:

2% Discount	Nov. 1 – 30
Face Amount	Dec. 1 – 31
5% Penalty	Jan. 1 – 31
10% Penalty + 10% Sheriff Add-on Fee	Feb. 1 – Thereafter

B. In the event a property owner owns multiple properties located within a certified volunteer fire department area, payment of one membership charge for one property in said area shall constitute membership in that volunteer fire department's area and shall be applicable to all properties owned by the property owner in that volunteer fire department's area, provided however, a property owner desiring to pay only one membership charge must comply with the Procedure for Removal set forth in Section V herein below for the other properties owned by property owner in that volunteer fire department's area. Nothing in this paragraph shall prohibit a property owner from paying the membership charge on all properties

owned by the property owner within a certified volunteer fire department area.

- C. Nothing in this Ordinance shall prohibit or otherwise restrain any certified volunteer fire department from soliciting voluntary subscriber fee payments from any property owner that is exempt from the provisions of this Ordinance.

SECTION II: That Section V, page 3, of Ordinance No. 2011-0314 is hereby amended as follows:

**V. Procedure for Removal:**

Based upon the service provided by the volunteer fire departments, it is assumed by the Breckinridge County Fiscal Court that every property owner wishes to become a subscriber of their Volunteer Fire Department. However, any property owner that does not desire to pay volunteer fire department membership charges/subscriber fees is not required to do so if the property owner follows the procedures set forth in this paragraph. Failure to pay fees, per these procedures listed, will not cause the property or its owner to incur any delinquency or penalties, other than those hereinabove listed in Section III, paragraph A, until after the bill becomes delinquent. In order to delete any parcel(s) of property from membership charges/subscriber fees, the owner shall, upon payment of his property taxes, and no later than the date the Breckinridge County Sheriff files the delinquent tax claims in the Breckinridge County Clerk's Office, pursuant to Chapter 134 of KRS, for any particular tax year, provide a statement to the Breckinridge County Sheriff's Office (on form titled "Notice of Subscriber Fee Non Payment") that contains the following:

- a. Name of owner including mailing address.
- b. Name of the fire department servicing the parcel.
- c. Parcel number from tax bill.
- d. A statement will be provided on the form that in lieu of subscriber fees the owner will be responsible for charges for fire protection service or other emergency per state law.
- e. Signature of subscriber/property owner.

The "Notice of Subscriber Fee Non Payment" form mentioned above shall be provided by the Breckinridge County Sheriff's Office with all tax bills mailed to property owners


located in Breckinridge County, Kentucky, and the Breckinridge County Sheriff shall also make said forms available in the Breckinridge County Sheriff's Office. The property owner must request this every year.

SECTION III: All provisions set out in full in Ordinance No. 2011-0314 and not amended hereby shall remain in full force and effect.


SECTION IV: This ordinance shall become effective immediately upon its passage.

Introduced and given first reading by the Fiscal Court on the 17th day of October, 2011.

Given second reading, passed and enacted by the Fiscal Court on the 28th day of October, 2011.

APPROVED  
BY:   
MAURICE LUCAS  
COUNTY JUDGE/EXECUTIVE

ATTEST:

  
KATHINA BELL  
CLERK OF FISCAL COURT

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APPROVED

BY:

*Maurice Lucas*  
MAURICE LUCAS  
COUNTY JUDGE/EXECUTIVE

ATTEST:

*Kathina Bell*  
KATHINA BELL  
CLERK OF FISCAL COURT

FILED May 15 2012  
BRECKINRIDGE COUNTY CLERKS OFFICE  
*Bill Jewer* by *[Signature]* CLERK

RECORDED IN BRECKINRIDGE COUNTY  
CLERKS OFFICE INT. Fiscal Court Order  
BOOK NO. 31 PAGE 210

**MINUTES**  
**BRECKINRIDGE COUNTY FISCAL COURT**  
**Special Called Meeting**  
**Friday, October 28, 2011**  
**4:00 P.M.**

**RE: Call to Order**

After leading in the Pledge of Allegiance and a word of prayer, Judge Lucas called to order the special called meeting of the Breckinridge County Fiscal Court at 4:00 p.m. at the Courthouse Annex.

Present: Maurice Lucas, County Judge/Executive  
James Henning, Magistrate, District 1  
Shane Beavin, Magistrate, District 2  
Gary Greenwell, Magistrate, District 3  
Willis Bosley, Magistrate, District 4  
Sam Moore, Magistrate, District 5  
Joe O'Donoghue, Magistrate, District 6  
Bradley Butler, County Attorney  
Todd Pate, Sheriff

Staff: Michelle Valora, Fiscal Court Clerk  
Odessa Hobbs, Finance Officer

**RE: Assign temporary Fiscal Court Clerk**

Esquire Bosley moved, seconded by Esquire Greenwell, to assign Michelle P. Valora as temporary Fiscal Court Clerk at \$50.00 per meeting while Kathina Bell is on maternity leave. SEVEN MEMBERS VOTING AYE (7- 0). Motion carries.

**RE: 2<sup>nd</sup> Reading, Ordinance No. 2011-1017, Amendment to Fire Dues Ordinance No. 2011-0314**

Esquire Henning moved, seconded by Esquire Bosley, to approve 2<sup>nd</sup> Reading of Ordinance No. 2011-1017, an ordinance relating to the amendment of Ordinance No. 2011-0314 relating to the collection of annual membership charges or subscriber fees for Volunteer Fire Departments in Breckinridge County, Kentucky. Judge Lucas called for a vote on the motion, SIX MEMBERS VOTING AYE; ESQUIRE O'DONOHGUE VOTING NAY (6-1). Motion carries. Exhibit "A-102811"

**RE: Executive Session**

Judge Lucas moved, seconded by Esquire O'Donoghue, to convene to Executive Session to discuss Personnel. Judge Lucas called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).