

CITY OF RACELAND

In The Beautiful Ohio Valley

RACELAND, KENTUCKY 41169

July 27, 1981

RECEIVED

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SECRETARY OF STATE
COMMONWEALTH OF KY.

Francis Jones Mills
Secretary of State
Capitol Building
Frankfort, Ky. 40601

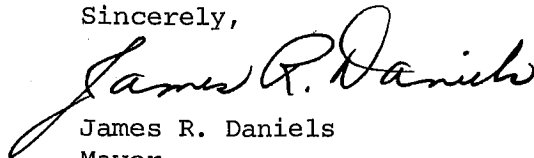
Attn: Dr. Eugene Harrell

Dear Sir:

The following is information you have requested from our city. If any further information is needed, please feel free to contact me.

1. Name of City:
Raceland, Kentucky
2. Date of Incorporation:
July 31, 1915 under name of Chinnville
Took on the name of Raceland during the 20's
Can't find in the minutes where ever changed
(see attached)
3. Present Classification
5th Class
4. Boundries
692.65 Acres
5. 1980 Census (Population)
1,970

Sincerely,


James R. Daniels
Mayor

JRD:jf

ENCLOSURE

No other information

Town of Raceland

Raceland, Kentucky

Gentlemen:

You have requested my opinion as to the regularity and validity of proceedings of your town for the paving of certain streets and have submitted the records herein indicated.

INCORPORATION AND NAME

A petition was filed in the Greenup Circuit Court on June 18, 1915, to incorporate the town of Chinnville. The law requires 125 inhabitants residing within the boundaries of the proposed town and limits the boundary to a distance of one-fourth of a mile in each direction, the form being square (§3713, Kentucky Statutes. The incorporation is accomplished by a judgment of the Circuit Court, based upon a petition signed by at least two-thirds of the voters within the proposed boundary and filed at least twenty days before the beginning of the next regular term of court. Notice of the filing and object must be published in two issues of some newspaper of general circulation published in the county, or, if none, by poster. The petition must set out the bounds of the proposed town (§3714). On the second day of the next term of court, if the proper notice has been given, and no defense is interposed, a judgment may be entered in accordance with the petition, naming the town, defining its boundaries, and appointing its officers (§3715).

I have examined the original petition and judgment entered on July 31, 1915. There is a notation by the judge as follows:

"The object and prayer of the within petition is granted and a judgment may go in accordance with the prayer of the petition. W. C. Halbert Judge"

Nothing else appearing, I am of the opinion that the town of Chinville was legally incorporated.

It does not appear how the name was changed to Raceland.

There is a provision of law for persons over twenty-one years of age and not a married woman, changing their names (§3717), but there is no provision for a town changing its name. It is a general rule of law that the name of a town given by its charter may be changed by long usage (28 Cyc, 148). It may be questioned as to whether Chinville has been called Raceland a sufficient length of time to work a change of name. I think there should be adopted and published an ordinance, reciting the change of name. In the meantime I think you should recite in your ordinances that the town of Raceland was incorporated as the town of Chinville, but is now known as the town of Raceland.