

**65.470 Construction in violation of easement prohibited -- Injunctive relief.**

- (1) From and after the time when a scenic easement has been acquired by the local legislative body and its acceptance endorsed thereon, no building permit shall be issued for any structure which would violate the easement and the local legislative body shall seek by appropriate proceedings an injunction against any threatened construction or other development or activity on the land which would violate the easement and shall seek a mandatory injunction requiring the removal of any structure erected in violation of the easement and the restoration of the land to its original character insofar as possible.
- (2) In the event the local legislative body fails to seek an injunction against any threatened construction or other development or activity on the land which would violate the easement or to seek a mandatory injunction requiring the removal of any structure erected in violation of the easement or the restoration of the land to its original character insofar as possible, or if the local legislative body should construct any structure or development or conduct or permit any activity in violation of the easement, any resident of the jurisdiction which has acquired the easement may, by appropriate proceedings, seek such an injunction.

**History:** Created 1976 Ky. Acts ch. 123, sec. 6.