

67A.880 Action by property owner for relief from ordinance of determination.

- (1) Any owner of property to be benefited by the wastewater collection project may, within thirty (30) days after passage and publication of the ordinance of determination:
 - (a) File an action in the Circuit Court of the county in which the urban-county government is situated seeking relief by declaratory judgment, injunction or otherwise; or
 - (b) File in the office of the clerk of the urban-county government a written statement of intent to file such an action endorsed by a licensed attorney-at-law to the effect that in his opinion his client has a reasonable and legitimate probable cause for such proposed litigation, in which event the time for filing the action shall be extended for fifteen (15) days after the date the statement is filed.
- (2) In the event of the occurrence of either (a) or (b) above, all proceedings of the government with respect to the proposed wastewater collection project shall be abated until final judicial determination of the controversies presented thereby. In the absence of action by any owner of property proposed to be benefited as herein provided, the provisions of the ordinance of determination shall be final and binding. After the lapse of time as herein provided, all actions by owners of properties to be benefited shall be forever barred.

Effective: March 30, 1976

History: Created 1976 Ky. Acts ch. 371, sec. 10, effective March 30, 1976.