

**76.305 Notice and proceedings for establishment of sewer construction district -- Appeal.**

- (1) When the petition is filed the county clerk shall give notice of the filing by publication pursuant to KRS Chapter 424 and by posting notices in three (3) public places within the proposed district. Within thirty (30) days after the publication, any freeholder of the proposed district may file objections, and the county judge/executive shall set the case for hearing at the first rule day after expiration of said thirty (30) days. If the county judge/executive finds that the establishment of such district is reasonably necessary for the public health, convenience and comfort of the residents of the district, he shall make an order establishing the district and designating it by name and number.
- (2) If the county judge/executive finds that the district is not necessary, he may dismiss the petition. If the county judge/executive finds that any part of the territory will not be benefited, he may strike such part.
- (3) Any party may appeal to the Circuit Court from the order establishing a district or dismissing the petition or striking or refusing to strike any territory from the district. From a decision of the Circuit Court any party may appeal to the Court of Appeals.

**Effective:** July 15, 1980

**History:** Amended 1980 Ky. Acts ch. 188, sec. 66, effective July 15, 1980. -- Amended 1966 Ky. Acts ch. 239, sec. 28. -- Created 1952 Ky. Acts ch. 68, secs. 2 and 4.