

96.926 User's appeal to Circuit Court.

- (1) Any sewer user, or prospective sewer user, affected by the Second Ordinance may, within thirty (30) days after publication of the Second Ordinance, file an action in the Circuit Court of the county in which the city is situated attacking the validity of the Second Ordinance from the standpoint of whether the governing body acted in conformity with the procedures made mandatory by KRS 96.910 to 96.927. Provided, however, that if any aggrieved sewer user or prospective sewer user files in the office of the city clerk a written notarized statement of intent to file such an action, the time for filing actions in the Circuit Court shall be fifteen (15) days after such notice of intent to sue is filed with the clerk, or thirty (30) days after publication of the Second Ordinance, whichever is later.
- (2) Proceedings in the Circuit Court shall be tried according to the practice prescribed for equity cases.
- (3) In the event an action is filed as provided for by this section, the effective date of the proposed sewer service charges as prescribed by the Second Ordinance shall be the date judgment is entered by the Circuit Court, if such judgment is favorable.

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 125. -- Created 1958 Ky. Acts ch. 169, sec. 14, effective June 19, 1958.