

**100.413 Appeals from final order of planning commission and judgment of District Court.**

- (1) An appeal from any final order issued by a planning commission may be made to the District Court of the county in which the planning commission is located. The appeal shall be taken within thirty (30) days of the date the order is issued. The appeal shall be initiated by the filing of a complaint and a copy of the commission's order in the same manner as any civil action under the Rules of Civil Procedure. The action shall be tried de novo and the burden shall be upon the planning commission to establish that a violation has occurred. If the court finds that a violation occurred, judgment shall be entered ordering the offender to pay to the planning commission all fines assessed for the violation. If the court finds a violation did not occur, the complaint shall be dismissed.
- (2) A judgment of the District Court may be appealed to the Circuit Court in accordance with the Rules of Civil Procedure.
- (3) If no appeal from a final order of a planning commission is filed within the time period set forth in this section, the planning commission's order shall be deemed final for all purposes.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 10, sec. 7, effective July 15, 1998.