

**411.530 Permanent nuisance.**

- (1) A permanent nuisance shall be any private nuisance that:
  - (a) Cannot be corrected or abated at reasonable expense to the owner; and
  - (b) Is relatively enduring and not likely to be abated voluntarily or by court order.
- (2) A permanent nuisance shall exist if and only if a defendant's use of property causes unreasonable and substantial annoyance to the occupants of the claimant's property or unreasonably interferes with the use and enjoyment of such property, and thereby causes the fair market value of the claimant's property to be materially reduced.

**Effective:** May 24, 1991

**History:** Created 1991 (1st Extra. Sess.) Ky. Acts ch. 11, sec. 4, effective May 24, 1991.