

**231.090 Appeal from decision denying or granting permit.**

- (1) From the decision of the county judge/executive refusing to grant the permit, the applicant may appeal to the Circuit Court, where the appeal shall be tried as an action in equity, and the evidence shall be heard in open court.
- (2) From the decision of the county judge/executive granting a permit, any citizen of the county may appeal to the Circuit Court and the appeal in the Circuit Court shall be tried as in the case of an appeal from a judgment denying the permit.
- (3) Before any appeal is perfected, the party appealing shall file a copy of the decision of the county judge/executive with the circuit clerk and shall execute a bond guaranteeing the payment of the cost of the appeal. The cost of the appeal shall be adjudged against the person losing the appeal.
- (4) The county attorney shall resist any appeal filed by an applicant and shall represent the county judge/executive granting a permit in any court proceedings.

**Effective:** July 15, 1988

**History:** Amended 1988 Ky. Acts ch. 369, sec. 1, effective July 15, 1988. -- Amended 1978 Ky. Acts ch. 384, sec. 366, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 213, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-15.