

242.350 Court may enjoin nuisance.

- (1) If it is made to appear to the satisfaction of the court that a nuisance described by KRS 242.310 exists, a temporary injunction shall forthwith issue, restraining the defendant from conducting or permitting the continuance of the nuisance until the conclusion of the trial. If a temporary injunction is prayed for, the court may issue an order restraining all persons from interfering in any way with the alcoholic beverages, fixtures or other things used in connection with the nuisance.
- (2) It shall not be necessary for the court to find the property involved is being unlawfully used as described in KRS 242.310 at the time of the hearing, but on finding that the material allegations of the petition are true, the court shall order that no alcoholic beverages shall be sold, bartered or stored on the premises or vehicle, or any part thereof. Upon judgment of the court ordering the nuisance abated, the court may order that the premises or vehicle shall not be occupied or used for six (6) months.
- (3) The court may permit the premises or vehicle to be used if the owner, lessee, tenant or occupant gives bond with sufficient surety, to be approved by the court making the order, in the sum of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), payable to the state and conditioned that alcoholic beverages will not thereafter be sold, bartered, kept or otherwise disposed of on or in the premises or vehicle, and that he will pay all fines, costs and damages that may be assessed for any violation of this chapter on or in the premises or vehicle.

Effective: January 2, 1978

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 200, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554c-25.