

1 AN ACT relating to planning and zoning enforcement action appeals.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 100 IS CREATED TO
4 READ AS FOLLOWS:

5 *If an affected party has appealed the action of an enforcement officer assessing or*
6 *levying, or threatening the assessment or levy, of a monetary penalty, and that appeal*
7 *results in a final and unappealable decision that the action taken by the enforcement*
8 *officer, or the underlying zoning regulation or ordinance on which the action was*
9 *based or enforced, is arbitrary, unenforceable, or unconstitutional, then the affected*
10 *party appealing the action, zoning regulation, or ordinance shall be entitled to recover*
11 *from the planning unit his or her court costs and reasonable attorney's fees relating to*
12 *the action and appeal.*