

### **77.305 Appeals.**

- (1) Any person, being a party of record at such hearing, deeming himself aggrieved, including the air pollution control district, may maintain a special proceeding in equity in the Circuit Court of the county in which the district is located, to determine the reasonableness and legality of any action of the hearing board. Such special proceeding shall be entitled to priority on the docket of said equity court.
- (2) Any person filing such a special proceeding after any decision of the hearing board shall be entitled to a trial de novo and an independent determination of the reasonableness and legality of such action in such court on all issues of law, facts, and mixed questions of law and facts and opinions therein involved. Jurisdiction is hereby given such Circuit Court to determine all questions and issues properly brought before it on such appeal.
- (3) Appeals may be taken from the judgment of said Circuit Court to the Court of Appeals of Kentucky.

**History:** Amended 1976 Ky. Acts ch. 62, sec. 81. -- Created 1952 Ky. Acts ch. 53, sec. 77, effective March 14, 1952.