

SENATE BILL No. 510

By Committee on Federal and State Affairs

2-13

1 AN ACT concerning cities; requiring cities to reconnect property to the
2 city sewer system upon request of the property owner; amending
3 K.S.A. 12-631 and repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 12-631 is hereby amended to read as follows: 12-
7 631. (a) Any city may ~~in the manner hereinafter provided~~, by ordinance,
8 require persons and property owners owning buildings within ~~such the~~
9 city, ~~which~~ when buildings are, or shall be located near a sewer, or in a
10 block within any sewer district in ~~said~~ the city through which a sewer
11 extends, to make such connections with the sewer system, as may be
12 necessary in the judgment of the board of health or in the event such city
13 does not have a board of health, in the judgment of the governing body for
14 the protection of the health of the public, for the purpose of disposing of
15 all substances from any such building affecting the public health ~~which~~
16 that may be lawfully and properly disposed of by means of such sewer;
17 and.

18 (b) If any person or persons, shall fail, neglect or refuse to so connect
19 any building or buildings with the sewer system ~~as herein provided for~~, for
20 more than 10 days after being notified in writing by the board of health or
21 governing body of ~~such the~~ city to do so, ~~such the~~ city may cause ~~such the~~
22 buildings to be connected with ~~said~~ the sewer system, or may advertise for
23 bids for the construction and making of such sewer connections, and
24 contract ~~therefor~~ with the lowest responsible bidder or bidders, ~~and~~. *The*
25 *city* may assess the costs and expense ~~thereof~~ against the property and
26 premises so connected in the manner provided by law.

27 (c) All costs incurred by the city under the provisions of this section
28 may be financed, until the assessment is paid, out of the general fund or by
29 the issuance of no-fund warrants. Whenever no-fund warrants are issued
30 under the authority of this act, the governing body of ~~such the~~ city shall
31 make a tax levy ~~at the first tax levying period~~ for the purpose of paying
32 ~~such the~~ warrants and the interest thereon. All such tax levies shall be in
33 addition to all other levies ~~authorized or limited by law and shall not be~~
34 ~~subject to the aggregate tax levy prescribed in article 19 of chapter 79 of~~
35 ~~the Kansas Statutes Annotated, and amendments thereto.~~ *Such* *The*
36 warrants shall be issued, registered, redeemed and bear interest in the

1 ~~manner and in the form~~ as prescribed by K.S.A. 79-2940, and amendments
2 thereto, except they shall not bear the notation required by ~~said section~~
3 *K.S.A. 79-2940, and amendments thereto*, and may be issued without the
4 approval of the state board of tax appeals. All moneys received from
5 special assessments levied under the provisions of this section shall, when
6 paid, be placed in the general fund of the city.

7 *(d) Any city that has previously provided sewer service to a property*
8 *that was disconnected from such system, shall reconnect such property to*
9 *the sewer system within 10 days of the request of the property owner at no*
10 *cost to such property owner; if the disconnection was not a failure to pay*
11 *sewer fees.*

12 Sec. 2. K.S.A. 12-631 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its
14 publication in the Kansas register.