

#### **224A.080 Correlative powers of other governmental agencies.**

All governmental agencies shall have and possess, in addition to all other powers now or hereafter vested in them, the following powers:

- (1) To undertake infrastructure projects;
- (2) To make application for, and to receive, federal grants or loans in aid of infrastructure projects in accordance with the provisions of any federal laws now in effect, or in effect in the future;
- (3) To make application for, and to receive, grants or loans in accordance with the terms and provisions of this chapter;
- (4) To comply with rules, administrative regulations, and bylaws promulgated by the authority;
- (5) To enter into assistance agreements with the authority;
- (6) To comply with all terms, conditions and requirements of any assistance agreement. An assistance agreement to which a governmental agency is a party may provide for the making of financing payments by the governmental agency from appropriations made to or by the governmental agency as, if and when received. No such obligation shall be binding on the governmental agency for a period extending beyond the legislative term during which it is incurred, but it may be renewed during successive legislative terms;
- (7) To covenant with the authority to, and to impose, service charges upon all persons to whom services are provided by infrastructure projects. The service charges shall, as appropriate in the individual cases and circumstances, be in addition to all other rates, rentals, and charges of a similar nature now or hereafter authorized by law and now or hereafter being levied and collected by the governmental agencies. Counties and urban-county governments, including counties containing metropolitan sewer districts, shall have the right to covenant with the authority to pay to the authority on an annual, automatically renewable basis, the moneys and funds pursuant to an assistance agreement as shall enable the authority to amortize revenue bonds issued to provide infrastructure projects to the counties and urban-county governments, subject to constitutional provisions;
- (8) To covenant with the authority to mandatorily require the use of sanitary sewers by all persons owning, renting, or occupying premises generating pollution, where sewer service is reasonably available to such premises, and to exhaust all remedies for the collection of service charges, including termination of water service to delinquent sewer customers; and to promptly remit all service charges collected to the authority in accordance with the terms, conditions, and requirements of assistance agreements.
- (9) To covenant with the authority for the payment of state revenues, tax sharing or other state aid, with the exception of funds in aid to education and funds derived from motor fuel taxes or vehicle license taxes pursuant to Section 230 of the Constitution of Kentucky, as the governmental agency may thereafter become entitled to receive from the state, to the authority or to a trustee until the time all delinquent payments by the governmental agency have been paid. If the authority

and a governmental agency enter into an agreement, the State Treasurer shall pay the pledged money in accordance with the provisions of the agreement.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 373, sec. 5, effective July 15, 1994. -- Amended 1988 Ky. Acts ch. 124, sec. 8, effective March 31, 1988. -- Amended 1984 Ky. Acts ch. 216, sec. 13, effective July 13, 1984. -- Amended 1974 Ky. Acts ch. 336, sec. 4. -  
- Created 1972 Ky. Acts ch. 329, sec. 8.