

74.407 Operation of sewage disposal systems -- Water district's powers to enforce collection of lawful rates and charges -- Agreement to acquire property outside boundaries.

- (1) (a) In addition to the other authority which water districts presently have under this chapter, water districts are hereby authorized to acquire, develop, maintain, and operate sewage disposal systems within the confines of their respective districts or as authorized in paragraph (b) of this subsection, except that such sewer systems shall not include territory within the boundaries of existing municipal corporations having the authority to provide such sewer services without the consent of such municipal corporations.
- (b) Water districts may enter into agreements with another entity or entities to acquire by purchase or lease, any real or personal property, or any interest, right, easement, or privilege therein, outside of the district's jurisdictional boundaries, in connection with the acquisition, construction, operation, repair, or maintenance of any sewage, wastewater, or storm water facilities, notwithstanding any other provision of the Kentucky Revised Statutes restricting, qualifying, or limiting their authority to do so, except as set forth in KRS Chapter 278.
- (2) In the event of annexation of territory within a water district by another municipal corporation authorized to provide sewer systems and services, the water district may continue to provide and charge for sewer services within such newly annexed areas until such annexing municipal corporation makes adequate payment, by negotiation or condemnation, for such sewage disposal facilities owned and operated by the water district. The water district commissioners shall have all of the powers and authority, as regards sewer systems, that are conferred upon them for the purpose of furnishing a water supply under KRS 74.010 to 74.415.
- (3) If a water district that provides sewer services is also the water supplier, the water district may provide that rates for water service and sewer service be billed simultaneously and may enforce collection of lawful rates and charges for sewer services by discontinuing water service until payment of the delinquent charges, including penalties, interest, and reasonable fees for disconnection and reconnection, is made or some payment arrangement satisfactory to the water district is reached.
- (4) If a water district that provides sewer services is not the water supplier, the water district may enforce collection of delinquent sewer service charges in the manner provided in KRS 96.930 to 96.943.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 196, sec. 5, effective July 14, 2018. -- Amended 2012 Ky. Acts ch. 30, sec. 1, effective July 12, 2012. -- Amended 2008 Ky. Acts ch. 6, sec. 13, effective July 15, 2008. -- Created 1962 Ky. Acts ch. 152, sec. 1.