

184.200 Penalty in case of installment default -- Acceleration -- Enforcement of lien.

If any person liable for any part of said assessment defaults in the payment of any installment thereof or interest thereon for one (1) month after payment becomes due, a penalty of ten percent (10%) of the installment in arrears shall be added thereto, which shall constitute a like lien as the assessment, and thereafter all unpaid installments of the assessment against such person shall, at the option of the district, or of any holder of an apportionment warrant or bond secured thereby, forthwith become due and payable. It shall be the duty of the district, for the use and benefit of the owner or owners of such bonds or apportionment warrants, to institute, in its own name and at its own cost, proper proceedings for the enforcement of such lien, except that the costs of the action, including attorneys' fees, shall be added to the amount of the delinquent assessment and shall be first payable out of the moneys received through enforcement of the district's lien. If the district fails to institute such proceedings for thirty (30) days after notice of such default, any owner of a bond or apportionment warrant secured by such lien may, in his own name and on his own behalf and on the behalf of other owners of such bonds or apportionment warrants, institute and prosecute such proceedings in any court of competent jurisdiction.

History: Created 1942 Ky. Acts ch. 65, sec. 20.