

2023 Kansas Statutes

82a-307. Cleaning and maintaining banks and channels by county; petition or resolution; access to private property; claims for damages. (a) Upon petition of 50 taxpayers of any county of this state, owning land in the flood plain of any river in such county, or upon enactment of a resolution by the county commission of such county, the board of county commissioners of each county in this state are hereby authorized within their respective jurisdictions to clean and maintain the banks and channels of the streams and watercourses within definitely established bank lines, and to keep such streams free of drift, trees and other debris, for the purpose of reducing floods and overflows. Upon such petition or resolution, the board of county commissioners may remove debris pursuant to this section, but shall not change or diminish the course, current or cross section of any stream.

(b) The board of county commissioners, having obtained written permission from the landowner, may enter upon private property, if necessary, to clean and maintain such streams, doing as little damage as possible thereto. If material damage is done to any property, the commissioners shall allow reasonable compensation therefor if the landowner presents a claim in writing to the board within 60 days from the date of such alleged material damage.

(c) Nothing in this act shall be construed to permit the board of county commissioners of any county to remove or destroy any permanent improvement, including dams and bridges, in and over such streams, providing such improvements, dams or bridges have been lawfully placed thereon.

History: L. 1929, ch. 143, § 2; L. 1931, ch. 318, § 1; L. 1951, ch. 527, § 1; L. 2013, ch. 111, § 7; July 1.