

**80-2024. City control of annexed portions; tapping fee; powers of governing body; cities excepted.** In the event the territory included within a sewage district, or any part thereof, organized pursuant to the provisions of K.S.A. 80-2001 to 80-2020, inclusive, becomes a part of a city, such city shall control and manage that portion of the sewer system within the boundaries of such city, and shall be responsible for the certification of special taxes levied in payment of the principal and interest of the outstanding bonds. Such city shall not permit any person, firm or corporation, governmental agency or body politic, not within the boundaries of the sewage district at the time of annexation, to use the facilities of such a sewage system without paying a sum of money as a tapping fee therefor, which tapping fee shall be fixed by the governing body of the city and shall be the proper pro rata portion of the cost of building the sewer system. Such tapping fee may be made payable in installments and collected the same as other special assessments for similar services are collected in such city. Such tapping fee shall be used solely for the purpose of paying principal and interest of unpaid bonds issued to pay the cost of building the main or lateral sewers to be used by the area not theretofore charged with the cost of the same.

For the purpose of paying the tapping fees and for the purpose of providing for the extension of use of the facilities in the event of annexation, such city annexing all or part of such sewage district may extend the boundaries of the sewage district, or lateral sewer district, or organize lateral sewer districts, and levy assessments and issue bonds and construct main or lateral sewers, all as is provided in K.S.A. 80-2001 to 80-2020, inclusive.

The provisions of this act shall not apply to any city of the first class having a population of not less than eighty-five thousand (85,000) nor more than one hundred twenty thousand (120,000).

**History:** L. 1953, ch. 470, § 1; April 10.