

**24-639. District to be body politic and corporate; corporate name; general powers.** (a) A district organized under the provisions of K.S.A. 24-601 et seq., and amendments thereto, shall be a body politic and corporate, and shall be known by the corporate name of drainage district number \_\_\_\_\_ of \_\_\_\_\_ county.

- (b) The board of supervisors of the drainage district shall have the power to:
- (1) Adopt a seal;
  - (2) enter into contracts;
  - (3) hold real and personal property;
  - (4) sue and be sued;
  - (5) determine and fix the district boundaries;
  - (6) remove all obstructions from the channel of the watercourse;
  - (7) commence and maintain suits against any and all persons or corporations unlawfully maintaining dams or other obstructions in the channel of the watercourse to compel the removal of the same;
  - (8) exercise the power of eminent domain as to all lands necessary to the construction of cutoffs, spillways and auxiliary channels in accordance with K.S.A. 26-501 through 26-516, and amendments thereto;
  - (9) require that all bridges across the watercourses shall be of sufficient length or that they shall be provided with sufficient trestle work to permit the unobstructed flow of the waters at flood time;
  - (10) construct cutoffs, spillways and auxiliary channels across railroads and highways, to compel the adequate bridging of the same and to compel the raising of the grades of the railroads and highways;
  - (11) levy an annual tax not to exceed five mills on the assessed value of all tangible taxable property located within the district to constitute a general fund to meet the incidental expenses of the district. If the board determines that a higher tax levy is necessary, it may adopt a resolution proposing to raise the limitation. Any proposed increase of the levy limitation shall be submitted for approval by the qualified voters of the drainage district. The election shall be called and held in the manner provided by the general bond law. If a majority of the voters voting on the question votes in favor thereof, the levy limitation may be increased;
  - (12) issue bonds and provide for the payment of the same; and
  - (13) perform any other acts not inconsistent with the provisions of K.S.A. 24-601 et seq., and amendments thereto.
- (c) Nothing in this section shall be construed as exempting the drainage district from the requirements of K.S.A. 24-126 and 82a-301 et seq., and amendments thereto.

**History:** L. 1911, ch. 168, § 39; R.S. 1923, 24-639; L. 2001, ch. 76, § 2; L. 2004, ch. 78, § 1; July 1.