

HB 1807 -- Sewer Districts

Sponsor or Co-Sponsors: Hoppe

Same as or similar to: Year:

Emergency Clause: or Effective Date of:

Use Summary For: Version:, Year:,

Verbatim:

Modify above as follows:

New summary as follows: This bill makes several changes to law regarding sewage districts.

#### COMMON SEWAGE DISTRICTS

This bill changes the requirements for the establishment of a common sewer district. The bill requires a petition to be filed with the circuit court of the county where the proposed district is situated. The petition must contain the following information: (1) description of the proposed district; (2) estimated number of customers; (3) necessity for the formation of the district; (4) probable cost of the improvements; and (5) approximate assessed valuation of taxable property within the district. The petition must be signed by 50% of the voters within the proposed district. The petitioners must also pay a \$50 fee to cover the cost of the circuit court proceedings regarding the petition.

The circuit court must give proper notice and hold public

meetings regarding the formation of the district. Exceptions to the proposed district may be made by any voter of the district. If the court finds that it would be in the best interest of the public, the district will become incorporated. Before final incorporation the proposed district must be approved by the voters.

The bill also increases from \$500 to \$25,000, the amount for which the district must obtain a bid.

The procedure for the collection of delinquent fees is revised to allow the collection of delinquent fees from persons responsible for the payment of the delinquent fees as well as persons owning the property.

Under current law, sewer service suppliers are permitted to contract with public water suppliers to cut off water service when sewer bills are not paid. This bill requires any supplier of water to disconnect a customer's water service for nonpayment of a sewer bill, subject to certain conditions.

The bill also provides territorial protection for a common sewer district and establishes procedures for when cities annex an area within an established boundary of a common sewer district. Procedures are established for territorial disputes between a

common sewer district and cities.

#### SANITARY SEWER IMPROVEMENT SUBDISTRICTS

The bill authorizes the creation of Sanitary Sewer Improvement Subdistricts. Procedures are established for a sewer district to create a subdistrict. The sewer district is authorized to make improvements within the subdistrict to be paid for by the issuance of general or special revenue bonds and assessments on the property benefitted by the improvements. A separate fund must be created by the sewer district for each improvement project in a subdistrict.

Before any assessments or improvements are made, a public hearing must be held. Any appeal of a final assessment must be made within 90 days of the mailing of notice of assessment to the property owner.

The assessment is considered to be a lien on the property until paid in full. The bill establishes procedures for the enforcement of the lien if it becomes delinquent.

Steve