

80-2005. Election; publication notice; disorganization, when. Before any such sewage district shall be authorized to construct any improvements therein, or to incur any expense (except for plans and specifications and other preliminary expense), the question of the making of such improvements shall be submitted to a special election of the qualified electors residing in such sewage district. Such election may be called by resolution of the governing body of the sewage district. Notice of such election, stating the time and place of voting therein, shall be given by publication in the official county paper for five consecutive weeks, the last publication to be not less than three nor more than ten days before such election. Such election notice shall state the boundaries of such district and shall notify all qualified electors residing within such sewage district of their right to vote at such election; and shall state the aggregate amount proposed to be expended by the sewage district (exclusive of federal grants, if any) for the construction of complete sewage system and expenses incident thereto, except lateral sewers and appurtenances thereto. The governing body of said sewage district shall designate one polling place for such election, which shall be either the regular meeting place of the township board of such township or some designated place within the sewage district, and shall select one single election board to receive and count the ballots at such election. At such election the polls shall be open between the hours of six o'clock, a.m., and seven o'clock, p.m. Such election shall be by ballot, and the proposition shall be submitted to the electors in substantially the following form:

"Shall _____ township sewage district No. _____ be authorized to construct a sewage system, exclusive of lateral sewers, with sewage-disposal plant (or without sewage-disposal plant, as the case may be), at an aggregate cost to the district of \$ _____, and to issue bonds and make special assessments against all lands in such district for the payment of the same?

Yes
No

If a majority of the legal votes at such election are in the affirmative, the governing body of such sewage district shall have the power to make such improvements at an aggregate cost not to exceed the amount voted upon. If a majority of the legal votes at such election are in the negative, the governing body shall not have authority to make such improvements, nor to issue bonds therefor, nor to levy special assessments except for the preliminary expense, and no lateral sewers shall be constructed in such district as hereinafter provided unless and until the construction of main sewers has been authorized at such an election. If such improvements are not authorized at such election, such sewage district may be disorganized by affirmative vote of its governing body, or such district may continue in existence and may submit the question of the making of such improvements, either upon the same or different plans, at a future election, but no election shall be called within one year after the rejection of such proposition at any election. Additional improvements to the main sewage system may be made, and bonds issued therefor, only after being approved at a subsequent election held as above provided. The township board shall canvass the vote at such election, and, except where special provision is made herein, the election laws of Kansas governing elections in townships shall apply thereto.

History: L. 1941, ch. 399, § 5; April 15.