

80-1606. Fixing rates, fees or charges to pay bonds; restrictions; notice and hearing; publication. The board of township trustees of any township authorized to issue waterworks revenue bonds under K.S.A. 80-1601 to 80-1605, inclusive, or any amendments thereto, and which said township board may have heretofore authorized or issued or which may hereafter authorize or issue waterworks revenue bonds under the provisions of said sections as amended, be, and it is hereby authorized and required to make provision for the payment of any such waterworks revenue bonds of the township by fixing rates, fees or charges for the use of or services rendered by the water utility of said township sufficient to pay the cost of operation, maintenance, repair and improvement of such utility and to pay the principal of and interest upon all such revenue bonds of the township when and as the same become due: *Provided, however,* That no part of the proceeds of the revenue bonds so issued and sold, nor of the income of said water system or the extension thereof, constructed or purchased from the proceeds of said issue of revenue bonds, shall be used or expended for the purpose of extending said water mains beyond the system or extension as included in the plans and estimates upon which said bonds were issued: *Excepting, however,* Connecting water mains or additions within the township may be constructed beyond the system or extension, out of any remaining or unexpended proceeds of said revenue bonds, when there has been presented to the township board a sufficient number of subscribers or agreements to purchase water at specified scheduled rates to be set for a period of not less than three (3) years, duly signed by the owners of property along the proposed extension or addition of said water line which will permit the liquidation of the cost of such extension or addition from net revenues derived from the sale of water along said extension or addition: *Provided,* That the said water mains or lines in said extension or addition, together with all net revenues derived therefrom shall be subject to the lien of all outstanding revenue bonds from which surplus bonds proceeds are so used, and such revenues shall be used to pay interest and maturities on all outstanding bonds; any such extension or addition shall only be made in accordance with plans and specifications prepared, filed and approved by the township board prior thereto: *Provided, however,* That minor improvements shall not be considered as an extension within the meaning of this act, and may be made and charged to operation except that the total cost of such improvement so charged in any year shall not exceed five percent (5%) of the gross operating revenue, or ten percent (10%) of the net operating revenue, for the last preceding year.

The resolution authorizing the issuance of any such waterworks revenue bonds of any such township may contain such other covenants, agreements and restrictions as may be deemed necessary or advisable by the board of township trustees of such township in order to insure the payment of any revenue bonds authorized and issued under the statutes aforesaid: *Provided, however,* That before any such resolution is adopted by said board, a public hearing shall be held by any township board thereon, after giving notice thereof by publication in the official county paper at least ten (10) days prior to the date of said hearing.

History: L. 1939, ch. 342, § 1; L. 1941, ch. 394, § 3; L. 1955, ch. 439, § 1; April 6.