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1st search term

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**250.010. Authority to construct and maintain sewerage system — sewerage system defined.** — 1. In addition to all powers granted by law and now possessed by cities, towns and villages in this state for the protection of the public health, any city, town or village, whether organized under the general law or by special charter or constitutional charter, and any sewer district organized under [chapter 249](#) or sections [204.250 to 204.470](#), as those chapters now exist, or as they may be amended, is hereby authorized to acquire, construct, improve or extend and to maintain and operate a sewerage system and to provide funds for the payment of the cost of such acquisition, construction, improvement or extension and operation as hereinafter provided. Such sewerage system may be constructed and operated either within or without the corporate boundaries of any such city, town or village or sewer district, but if it is within the corporate boundaries, it shall only be with the consent of the respective city, town, village or sewer district.

2. When used in this chapter the term "**sewerage system**" shall mean and include any or all of the following:

(1) Sewerage systems and sewerage treatment plants, with all appurtenances necessary, useful, and convenient for the collection, treatment, purification and disposal in a sanitary manner of the liquid and solid waste, sewage, and domestic and industrial waste of any such municipality; and

(2) Shall include combined storm water and sanitary systems;

(3) The term shall also mean and include the construction of such storm water sewers as, in the judgment of the governing body of any such city, town or village or sewer district, may be necessary or desirable in order to relieve sewers carrying sanitary and storm water loads of undue loads or in order to permit the efficient operation of any such sanitary sewers for the collection, treatment and disposal of sewage and domestic or industrial waste including combined storms and sanitary sewerage system.

(L. 1951 p. 638 § 1, A.L. 1983 H.B. 371)

8/28/1983

**250.020. Combined waterworks and sewerage system — authority for.** — Any such city, town or village is hereby authorized to acquire, construct, improve or extend, maintain and operate a combined waterworks and sewerage system. Any such combined waterworks and sewerage system may consist of an existing sewerage system, and existing waterworks, a sewerage system to be acquired or to be constructed or a waterworks to be acquired or constructed or any combination thereof and may include any improvements or extensions to be acquired or constructed either to an existing sewerage system or to an existing waterworks or to both.

(L. 1951 p. 638 § 2)

8/28/1951

**250.025. City board of public works may manage combined system, when.** — If any city, town or village which has heretofore established or which may hereafter establish a board of public works under the provisions of sections [91.450 to 91.540](#) shall combine its waterworks and sewerage system pursuant to the provisions of sections [250.020](#) and [250.030](#), said city, town or village may by ordinance vest in said board of public works during the existence of said board the power and duty to take charge of and exercise control over said combined waterworks and sewerage system and thereafter said board shall have all of the powers and duties respecting said combined waterworks and sewerage system which are vested in said board with respect to the waterworks of said city under the provisions of sections [91.450 to 91.540](#).

(L. 1953 p. 548 § 1)

8/28/1953



**250.030. Ordinance combining waterworks and sewerage system to be adopted.** — Any such city, town or village desiring to operate and maintain a combined waterworks and sewerage system shall adopt an ordinance declaring that its waterworks whether then existing or to be acquired or constructed and its sewerage system then existing or to be acquired or constructed shall thenceforth be operated and maintained as a combined waterworks and sewerage system and may provide that such combined system shall include all future improvements or extensions, whether to the waterworks or to the sewerage system or to both.

(L. 1951 p. 638 § 3)

8/28/1951

**250.040. Cost of system, how financed by cities.** — The cost to any such city, town or village of acquiring, constructing, improving or extending a sewerage system or a combined waterworks and sewerage system may be met:

- (1) Through the expenditure by any such city, town or village of any funds available for that purpose;
- (2) Through the issuance of bonds for that purpose of the city, town or village payable from taxes to be levied by such city, town or village;
- (3) From the proceeds of special assessments levied and collected in accordance with law;
- (4) From any other funds which may be obtained under any law of the state or of the United States for that purpose; or
- (5) From the proceeds of revenue bonds of such city, town or village, payable solely from the revenues to be derived from the operation of such sewerage system or combined waterworks and sewerage system or from any combination of any or all such methods of providing funds.

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(L. 1951 p. 638 § 4)

8/28/1951

**250.050. Cost of system, how financed by sewer district.** — The cost to any such sewer district of acquiring, constructing, improving or extending a sewerage system may be met:

- (1) Through the expenditure by any such sewer district of any funds available for that purpose;
- (2) Through the issuance of bonds for that purpose of the sewer district, payable from taxes to be levied and collected by such district;
- (3) From any other funds which may be obtained under any law of the state or of the United States for that purpose; or
- (4) From the proceeds of revenue bonds of such sewer district, payable solely from the revenues to be derived from the operation of such sewerage system or from any combination or all such methods of providing funds.

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(L. 1951 p. 638 § 5)

8/28/1951



**250.060. Bonds may be issued — vote required — election — form of ballot — annual tax to be levied.** — 1. Bonds of any such sewer district, payable from taxes, may be issued for the purpose of improving and extending the sewerage system of the district upon the approval of a proposition to issue such bonds by the constitutionally required percentage of the voters voting on the question.

2. The question shall be submitted in substantially the following form:

Shall \_\_\_\_\_ (name of city or district) issue bonds payable from taxes?

3. Before any sewer district shall incur any indebtedness evidenced by bonds payable from taxes as hereby authorized, such sewer district shall provide for the collection of an annual tax on all taxable tangible property therein sufficient to pay the interest and principal of the indebtedness as they fall due and to retire the same within twenty years from the date contracted.

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(L. 1951 p. 638 § 5, A.L. 1978 H.B. 971, A.L. 1990 H.B. 1621)

8/28/1990

**250.070. Revenue bonds — election — vote required — form of ballot.** — 1. No such city, town or village or sewer district shall issue or deliver any bonds for the purpose of acquiring, constructing, improving or extending any such sewerage system or combined waterworks and sewerage system payable from the revenues to be derived from the operation of any such system unless a proposition to issue such bonds shall have received the assent of a majority of the voters of such city, town or village or the assent of four-sevenths of the voters of the sewer district, who shall vote on the question.

2. The question shall be submitted in substantially the following form:

Shall \_\_\_\_\_ (name of city, town, village, or district) issue revenue bonds in the amount of \_\_\_\_\_ dollars?

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(L. 1951 p. 638 § 6, A.L. 1975 H.B. 947, A.L. 1978 H.B. 971)

8/28/1978

**250.080. Revenue bonds — ordinance or resolution authorizing — contents — interest — maturity — signing — sale price.** — 1. Revenue bonds authorized at an election held as hereinabove provided shall be issued by authority of an ordinance adopted by the governing body of any such city, town or village or of a resolution adopted by the governing body of any such district. Such ordinance or resolution shall recite that an estimate of the cost of the proposed acquisition, construction, improvement or extension has been made and shall set out such estimated cost; it shall

set out the amount of the bonds proposed to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection with the bonds.

2. Any such bonds may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the governing body of the city, town or village or sewer district.

3. Such bonds shall bear interest at a rate in accordance with section 108.170 and shall mature over a period not exceeding thirty-five years from the date thereof. Any provision of law to the contrary, notwithstanding, any and all bonds authorized pursuant to this chapter shall possess all the qualities of negotiable instruments under the negotiable instruments act.

4. Such bonds may be payable to bearer, may be registered or coupon bonds and if payable to bearer may contain such registration privileges as to either principal and interest, or principal only, as may be provided in the ordinance or resolution authorizing such bonds.

5. Such bonds and the coupons to be attached thereto, if any, shall be signed in such manner and by such officers as may be directed by ordinance or resolution. Bonds signed by an officer who shall hold the office at the time the bonds are signed shall be deemed validly and effectually signed for all purposes, regardless of whether or not any such officer shall cease to hold his office prior to the delivery of the bonds and regardless of whether or not any such officer shall have held or shall not have held such office on the date ascribed to such bonds.

6. Any such bonds shall be sold in such manner and upon such terms as the governing authority of the town, city or village or the governing body of such sewer district shall determine, but such bonds shall not be sold for less than ninety cents on the dollar nor shall they be sold at such a price that the interest cost upon the actual proceeds of such bonds from the date thereof to their maturity shall exceed a rate in accordance with section 108.170. Such ordinance or resolution may provide that certain bonds authorized thereby shall be junior or subordinate in any or all respects to other revenue bonds authorized concurrently therewith or prior to or after such bonds.

(L. 1951 p. 638 § 7, A.L. 1983 H.B. 371)

8/28/1983



**250.090. Revenue bonds — how payable.** — Revenue bonds issued under authority of this chapter shall be payable solely from the revenues derived and to be derived from the operation of the sewerage system or combined waterworks and sewerage system acquired, constructed, improved or extended in whole or in part from the proceeds of such bonds. No revenue bonds issued pursuant to this chapter shall constitute an indebtedness of the city, town or village or sewer district within the meaning of any constitutional, statutory or charter restriction, limitation or provision. The face of each bond shall state in substance that the bond has been issued under the provisions of this chapter, that the taxing power of the city, town or village or sewer district issuing the bond is not pledged to the payment thereof either as to principal or interest and that the bond and the interest thereon are payable solely from the revenues of the sewerage system or combined waterworks and sewerage system for the benefit of which the bond was issued.

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(L. 1951 p. 638 § 8)

8/28/1951

**250.100. Revenue bonds to improve or extend for particular locality — how payable (cities).** — Any such city, town or village shall have the power, subject to a favorable vote at an election called and held as herein provided, to issue revenue bonds for the improvement or extension or both of its existing waterworks or its existing sewerage system or its existing combined waterworks and sewerage system for the purpose of serving a particular locality, and such revenue bonds may be payable from the revenues derived or to be derived from the operation of the entire waterworks or sewerage system of the city, town or village or the entire combined waterworks and sewerage system or may be payable from the revenues to be derived from the operation of the waterworks, sewerage system or combined waterworks and sewerage system in such particular locality, as may be set forth in the proposition submitted at said election, provided, however, that the pledge of such revenues shall be subject to any prior pledge thereof.

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(L. 1951 p. 638 § 9)

8/28/1951

**250.110. Revenue bonds to improve or extend for particular locality — how payable (districts).** — Any such sewer district shall have the power, subject to a favorable vote at an election called and held as herein provided, to issue revenue bonds for the improvement or extension or both of the existing sewerage system for the purpose of serving a particular locality, and such revenue bonds may be payable

from the revenues derived or to be derived from the operation of the entire sewerage system of the district or may be payable from the revenues to be derived from the operation of the sewerage system in such particular locality as may be set forth in the proposition submitted at said election, provided, however, that the pledge of such revenues shall be subject to any prior pledge thereof.

(L. 1951 p. 638 § 10)

8/28/1951



**250.120. Revenue bonds — rates charged to be sufficient to pay principal and interest.** — 1. It shall be the mandatory duty of any city, town or village or sewer district which shall issue revenue bonds pursuant to this chapter to fix and maintain rates and make and collect charges for the use and services of the system for the benefit of which such revenue bonds were issued, sufficient to pay the cost of maintenance and operation thereof, to pay the principal of and the interest on all revenue bonds or other obligations issued or incurred by such city, town or village or sewer district chargeable to the revenues of such system and to provide funds ample to meet all valid and reasonable requirements of the ordinance or resolution by which such revenue bonds have been issued. Such rates shall be from time to time revised so as fully to meet the requirements of this chapter. As long as any bond so issued or the interest thereon shall remain outstanding and unpaid, rates and charges sufficient to meet the requirements of this section shall be maintained and collected by the city, town or village or sewer district which shall have issued such bonds.

2. Such rates shall be fixed and charged regardless of whether or not the services of the system shall previously have been rendered without charge therefor by the previously existing waterworks system, sewerage system or combined waterworks and sewerage system and regardless of how the acquisition of such system shall have been financed, whether by taxation, special assessment, the issuance of bonds or otherwise.

3. If the system shall be a combined waterworks and sewerage system, rates and charges may be established, fixed and collected for water services only, for sewer services only or for both services combined and, in such case, the city, town or village shall be and is hereby authorized to discontinue water service upon any failure to pay within a reasonable time the charges fixed for either water service or sewer service or for both services combined.

4. It shall be lawful for any such city, town or village or sewer district to base its sewerage rates in whole or in part upon the amount of water supplied to the premises charged for sewerage services by any private water company; in such case it shall be the duty of such private water company to furnish to such city, town or village or sewer district such information as is necessary to calculate its charges for sewerage service.

(L. 1951 p. 638 § 11)

8/28/1951

**250.130. Revenue bonds — amount of net revenue pledged to payment of principal and interest.** — 1. Whenever any such city, town or village or sewer district shall authorize and issue revenue bonds pursuant to this chapter an amount sufficient for the purpose of the net revenues of the sewerage system or of the combined system for the benefit of which such bonds are issued shall by operation of this chapter be pledged to the payment of the principal of and the interest on such bonds as the same shall mature and accrue.

2. The term "**net revenues**" shall be construed to mean all revenues derived from the operation of such system less the actual and necessary expenses of operation and maintenance of the system.

3. It shall be the mandatory duty of the officials of any such city, town or village or sewer district charged with the custody and management of the revenues to be derived from the operation of such system to provide for the prompt payment from such revenues of the principal of and the interest on any such revenue bonds as the same shall mature and accrue.

(L. 1951 p. 638 § 13)

8/28/1951

**250.140. Services deemed furnished both to occupant and owner of premises — payment delinquency, notice of termination sent to both occupant and owner of premises — applicability — unapplied-for utility services, defined.** — 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under [chapter 247](#) rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply

district organized and incorporated under [chapter 247](#) for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable for sums due for more than ninety days. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages.

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "**unapplied-for utility services**" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant.

(L. 1951 p. 638 § 12, A.L. 2002 S.B. 932, A.L. 2005 H.B. 58 merged with S.B. 210)

8/28/2005



**250.150. Revenues to be kept separate — order of payments — records — transfers.** — 1. Whenever any such city, town or village or sewer district shall establish and collect rates and charges for the services of any sewerage system or any

combined waterworks and sewerage system it shall be the mandatory duty of such city, town or village, or sewer district and of the proper officials thereof:

(1) To segregate the revenues derived from the operation of such system from all other revenues or funds of such city, town or village or sewer district; to hold such funds separate and distinct from all other funds thereof and, if such funds shall be deposited in any bank, to maintain such deposits as an account separate and distinct from all other bank accounts thereof.

(2) Such revenues shall be devoted, first, to the payment of the expenses of operating and maintaining such system; second, to the payment of any and all bonds or other obligations payable from such revenues; third, to the establishment of a proper depreciation reserve for the benefit of such system; fourth, to the fulfillment of any covenants or agreements contained in any ordinance which may have authorized outstanding revenue bonds issued for the benefit of such system and, fifth, for the payment of the cost of improvements and extensions to such system.

(3) To install and maintain proper books of records and accounts (entirely separate from all other records and accounts of the city, town or village or sewer district) in which correct entries shall be made of all dealings or transactions of or in relation to the properties, business and affairs of the sewerage system or of the combined waterworks and sewerage system. Such accounts shall show the amount of revenues received from the system, the application of such revenues and all financial transactions in connection therewith. At least once a year such accounts shall be audited properly by a public accountant employed for that purpose to be paid from the revenues received from the system. Such audits shall at all times, during usual business hours, be open to the examination and inspection by any taxpayer, any user of the services of the system or any holder of any bonds issued pursuant to this chapter or by anyone acting for or on behalf of any such taxpayer, user or bondholder. Such books of records and accounts and such audits shall conform to any reasonable and valid covenant or agreement with respect thereto set out in any ordinance which may authorize the issuance of bonds pursuant to this chapter.

(4) To perform all duties with respect to the operation of any such sewerage system or combined waterworks and sewerage system or with respect to the revenues derived or to be derived from the operation thereof imposed by law or set out in any reasonable and valid covenant and agreement contained in any ordinance which shall authorize the issuance of revenue bonds under this chapter.

2. No transfer of any funds derived from the operation of any sewerage system or combined waterworks and sewerage system to any other funds of the city, town or

village or sewer district shall be made except by action of the governing body thereof and no such transfer shall be made unless all expenses of operation and maintenance of said system shall have been paid, unless the principal of and the interest on all bonds due at the time of said transfer shall have been paid, and unless all covenants and agreements requiring the payment of money, set out in the ordinance authorizing any outstanding revenue bonds shall have been met and unless all obligations requiring the payment of money payable from such revenues then due shall have been met. No payments of any indebtedness or expenses incurred by any such city, town or village or sewer district other than those above stated in subdivision (2) shall be made from the revenues derived from the operation of any such system unless such revenues shall have been transferred to other funds of the city, town or village or sewer district under the conditions prescribed by this subsection.

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(L. 1951 p. 638 § 14)

8/28/1951

**250.160. Ordinance authorizing revenue bonds — classification of accounts. —**

1. It shall be lawful for any ordinance authorizing the issuance of revenue bonds under the authority of this chapter to provide that periodic allocations of the revenues to be derived from the operation of the system for the benefit of which such bonds are issued shall be made into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of the system and the prompt payment of the indebtedness chargeable to the revenues of such system. Such accounts may include, but shall not be limited to:

- (1) An account for the purpose of providing funds for the operation and maintenance of the system;
- (2) An account to provide funds for the payment of the bonds as to principal and interest as they come due;
- (3) An account to provide an adequate reserve for depreciation, to be expended for replacements of said system;
- (4) An account for the accumulation of a reserve to assure the prompt payment of the bonds and the interest thereon whenever and to the extent that other funds are not available for the purpose;
- (5) An account to provide funds for contingent expenses in the operation of such system;

(6) An account to provide for the accumulation of funds for the construction of extensions and improvements to the system; and

(7) Such other accounts as may be desirable in the judgment of the governing body of such city, town or village or sewer district.

2. It shall be lawful for any city, town or village or sewer district to provide that the sums to be held in any account for the payment of any bonds or the interest thereon or for the establishment of any reserve for that purpose may be held in deposit in a bank or trust company located within or without this state as a trust account for the payment of the bonds and the interest thereon.

3. Such ordinance may establish such limitations as may be expedient upon the issuance of additional bonds, payable from the revenues of the system, or upon the rights of the holders of such additional bonds. Such ordinance may include other agreements with the holders of the bonds or covenants or restrictions necessary or desirable to safeguard the interests of the bondholder and to secure the payment of the bonds and the interest thereon.

(L. 1951 p. 638 § 15)

8/28/1951

**250.170. Action by bondholder against city or district for neglect of duty. —**

1. The holder of any bond authorized pursuant to this chapter or of any coupon representing interest accrued thereon may, by a civil action either at law or in equity, by mandamus, injunction or otherwise, compel any city, town or village or sewer district, which may have authorized bonds under this chapter or the officials thereof to perform all duties imposed upon such city, town or village or sewer district or upon such officials by the provisions of the ordinance authorizing such bonds or otherwise imposed by law, including the continued operation of the sewerage system or of the combined waterworks and sewerage system, the fixing and collecting of sufficient rates and charges for the services thereof, the segregation and allocation and disposition of the revenues derived from such system, the payment of any bonds chargeable to the revenues of such system or the interest thereon and the performance of any valid and reasonable covenant set out in the ordinance authorizing any such bonds.

2. Such suit or action at law or in equity shall lie regardless of whether or not any bond or the interest thereon shall at the time of the filing of such suit be in default in the event that such city, town or village or sewer district or any official thereof shall have neglected or failed to perform any material duty imposed by law or by any valid

and reasonable covenant set out in the ordinance authorizing any outstanding bonds pursuant to this chapter.

(L. 1951 p. 638 § 16)

8/28/1951



**250.190. Services outside corporate limits — rates.** — Any such city, town or village or sewer district operating a sewerage system or a combined waterworks and sewerage system under this chapter shall have power to supply water services or sewerage services or both such services to premises situated outside its corporate boundaries and for that purpose to extend and improve its sewerage system or its combined waterworks and sewerage system. Rates charged for sewerage services or water services to premises outside the corporate boundaries may exceed those charged for such services to premises within the corporate limits.

(L. 1951 p. 638 § 18)

8/28/1951

**250.200. Rates and charges when city and district systems overlap. —**

1. Whenever any such city, town or village, which shall embrace within its corporate limits any territory situated in a sewer district directly served by the sewerage system of such city, town or village, shall issue revenue bonds under this chapter, rates and charges for the services of the sewerage system or combined water and sewerage system of such city, town or village shall be imposed and collected against each such lot, parcel of land or premises which shall have any active sewer connection with the sewerage system of such city, town or village, regardless of whether the sewerage or domestic or industrial waste from\* such lot, parcel of land or premises is carried also by the sewer lines or facilities of the sewer district.

2. Whenever any such sewer district, which shall embrace within its corporate limits any territory situated in a city, town or village, shall issue revenue bonds under this chapter, rates and charges for the services of the sewerage system of such sewer district shall be imposed and collected against each such lot, parcel of land or premises which shall have any active sewer connection with the sewerage system of such sewer district, regardless of whether the sewerage or domestic or industrial waste from\* such lot, parcel of ground or premises is carried also by the sewer lines or facilities of such city, town or village.

3. Provided that no lot, parcel of land or premises shall be charged for sewerage services by both such city, town or village and such sewer district; the rates and

charges first imposed by any such political subdivision shall exclude rates and charges later imposed by the other subdivision.

(L. 1951 p. 638 § 19)

\*Words "waste from" substituted for "was to form" in enrolled bill.

8/28/1951

**250.210. Sewer districts may contribute funds to city, when.** — Any such sewer district may contribute funds, including the proceeds of its bonds, payable from taxes to any such city, town or village for the purpose of paying the cost of the acquisition, construction, extension or improvement of a sewerage system by such city, town or village; any funds so contributed by such sewer district shall be expended by the governing authorities of such city, town or village.

(L. 1951 p. 638 § 20)

CROSS REFERENCE:

Powers of county commission when sewer district includes city and bonds issued, 249.667

8/28/1951



**250.220. Two or more municipalities may cooperate to furnish services.** — Any two or more municipalities through their respective governing bodies are hereby authorized and empowered to enter into and perform such contracts and agreements as they may deem proper for or concerning the planning, construction, lease or other acquisition and the financing of sewerage facilities, including facilities for the disposal of sewage and the maintenance and operation thereof. Any such municipalities so contracting with each other may also provide in any contract or agreement for a board, commission or such other body as their governing bodies may deem proper for the supervision and general management of the sewerage facilities and for the operation thereof, and may prescribe its powers and duties and fix the compensation of the members thereof.

(L. 1951 p. 638 § 21)

8/28/1951

**250.230. City may contract with industrial establishment to abate stream pollution.** — When determined by its governing body to be in the public interest and necessary for the protection of the public health, any municipality is authorized to

enter into and perform contracts, whether long-term or short-term, with any industrial establishment for the provision and operation by the municipality of sewerage facilities to abate or reduce the pollution of waters caused by discharges of industrial wastes by the industrial establishment and the payment periodically by the industrial establishment to the municipality of amounts at least sufficient, in the determination of such governing body, to compensate the municipality for the cost of providing (including payment of principal and interest charges, if any), and of operating and maintaining the sewerage facilities serving such industrial establishment.

(L. 1951 p. 638 § 22)

8/28/1951

**250.231. Powers to operate waterworks or sewerage system — rules and regulations, authority.** — Any city, town or village operating a waterworks or sewer system shall have all of the powers necessary and convenient to provide for the operation, maintenance, administration and regulation, including the adoption of rules and regulations, of any individual home or business sewerage systems within its jurisdiction.

(L. 1983 H.B. 371)

8/28/1983



**250.232. Cities having power of condemnation for sewers and waterworks also to have right to enter private lands for surveying.** — Any city, town or village operating a sewerage system or waterworks that has the power to condemn land or other property within the city, town or village for right-of-way for trunk sewers or for any other improvement or structure deemed necessary or advisable in connection with the sewerage and treatment system shall also have the authority to enter upon private lands to survey land or other property before exercise of the condemnation powers.

(L. 1983 H.B. 371)

8/28/1983

**250.233. Charges for sewer services — notice and public hearing required.** — Any city, town, village, or sewer district operating a sewerage system or waterworks may establish, make and collect charges for sewerage services, including tap-on fees. The charges may be set as a flat fee or based upon the amount of water supplied to the premises and shall be in addition to those charges which may be levied and collected for maintenance, repair and administration, including debt service expenses. Any

private water company or public water supply district supplying water to the premises located within said city, town, village, or sewer district shall, at reasonable charge upon reasonable request, make available to such city, town, village, or sewer district its records and books so that such city, town, village, or sewer district may obtain therefrom such data as may be necessary to calculate the charges for sewer service. Prior to establishing any such sewer charges, public hearings shall be held thereon and at least thirty days' notice shall be given thereof.

(L. 1983 H.B. 371, A.L. 2010 H.B. 1612 merged with S.B. 791)

8/28/2010

**250.234. Delinquent payment for sewer service, interest due, when — lien against land authorized.** — Any user charges, connection fees, or other charges levied by any city, town or village shall be due at such time or times as specified by the governing board of the city, town or village and shall, if not paid by the due date, become delinquent and shall bear interest from the date of delinquency until paid. If such charges become delinquent they shall be a lien upon any land within the corporate limits of the city, town or village so charged, upon the governing board filing with the recorder of deeds in the county where the land is situated a notice of delinquency. The governing board shall file with the recorder of deeds a similar notice when the delinquent amounts, plus interest and any recording fees or attorneys' fees, have been paid in full. The lien hereby created may be enforced by suit or foreclosure.

(L. 1983 H.B. 371)

8/28/1983

**250.236. Termination of water services for nonpayment of sewer charges, allowed when.** — 1. Any city, town or village may contract with a private or public water company to terminate water services, at the direction of the city, because a customer fails to pay his sewer bill. When charges for sewer services are in arrears for more than three months and after the city sends notice to the customer, the city may disconnect the customer's sewer line or request in writing that the private or public water company discontinue water service until such time as the sewer charges and all related costs are paid.

2. A private or public water company acting pursuant to a written request from the city as provided in subsection 1 of this section is not liable for damages related to termination of water services. All costs related to disconnection and reconnections shall be reimbursed to the private water company by the city.

(L. 1992 S.B. 470 & 497 § 1, A.L. 2001 H.B. 501, A.L. 2011 S.B. 48)

8/28/2011

**250.240. Purpose of law.** — It is the purpose of this chapter to enable cities, towns and villages and sewer districts to protect the public health and welfare by preventing or abating the pollution of water and creating means for supplying wholesome water, and to these ends every such municipality and sewer district shall have the power to do all things necessary or convenient to carry out such purpose, in addition to the powers conferred in this chapter. This chapter is remedial in nature and the powers hereby granted shall be liberally construed.

(L. 1951 p. 638 § 23)

8/28/1951

**250.250. Construction of law.** — This chapter shall be construed as a cumulative and additional grant of power to cities, towns and villages and shall not be construed to repeal or modify any other act or statute nor shall it be construed to repeal or modify any power granted by the Constitution or statutes of the state of Missouri or by any special charter or constitutional charter. This chapter, without reference to any other chapter, shall be deemed sufficient authority for the exercise of any powers granted herein, and all powers necessary to effectuate the purposes of this chapter shall be deemed to be granted hereby.

(L. 1951 p. 638 § 24)

8/28/1951

In accordance with Section **3.090**, the language of statutory sections enacted during a legislative session are updated and available on this website **on the effective date** of such enacted statutory section. 

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268