

§1203. Assessments

When any sanitary district formed under this chapter has constructed and completed a common sewer, the trustees may, if they so determine, in order to defray a portion of the expense thereof, determine what lots or parcels of land are benefited by such sewer, and estimate and assess upon such lots and parcels of land, and against the owner thereof, or person in possession or against whom taxes thereon are assessed, whether the person to whom the assessment is so made is the owner, tenant, lessee or agent, and whether the same is occupied or not, except that in the case of a sanitary district encompassing unorganized territory, such assessments made on lots or parcels of land in such unorganized territory must be made by the trustees against the party in possession thereof, such sum not exceeding such benefit as they may consider just and equitable towards defraying the expense of constructing and completing such sewer, together with such sewage disposal units and appurtenances as may be necessary, the whole of such assessments not to exceed 1/2 of the cost of such sewer and sewage disposal units. The trustees shall file with the clerk of the district the location of such sewer and sewage disposal unit, with a profile description of the same, and a statement of the amount assessed upon each lot or parcel of land so assessed, a description of each lot or parcel, and the name of the owner of such lots or parcels of land or person against whom said assessment must be made, and the clerk of such district shall record the same in a book kept for that purpose, and within 10 days after such filing, each person so assessed must be notified of such assessment by having an authentic copy of the assessment, with an order of notice signed by the clerk of the district, stating the time and place for a hearing upon the subject matter of the assessments, given to each person so assessed or left at the person's usual place of abode in the district; if a person so assessed has no place of abode in the district, then such notice must be given or left at the abode of that person's tenant or lessee if that person has one in the district; if that person has no such tenant or lessee in the district, then by posting said notice in some conspicuous place in the vicinity of the lot or parcel of land so assessed, at least 30 days before the hearing, or such notice may be given by publishing the same once a week for 3 successive weeks in any newspaper of general circulation in the district, the first publication to be at least 30 days before the hearing; a return made upon a copy of such notice by any constable in any municipality within the district or by any sheriff or deputy sheriff or the production of the newspaper containing such notice is conclusive evidence that the notice has been given, and upon such hearing the trustees have power to revise, increase or diminish any of such assessments, and all such revisions, increases or diminutions must be in writing and recorded by the clerk of the district. [RR 2021, c. 2, Pt. B, §279 (COR).]

SECTION HISTORY

PL 1965, c. 310 (NEW). PL 1967, c. 524, §10 (AMD). RR 2021, c. 2, Pt. B, §279 (COR).

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