

151.299 Liability for costs of cabinet emergency work -- Action for recovery of costs -- Foreclosure sale to satisfy judgment.

Whenever the secretary takes action authorized by KRS 151.297, the owner or owners of the dam or the dams creating the impoundment, or levee, embankment, or other water barriers at which such action was taken shall be jointly and severally liable for the costs of taking such action, including applicable overheads, and a lien in the amount of such costs shall be automatically created on all property owned by any such owner at or proximate to such dam or reservoir. The secretary shall file an action in the Circuit Court having jurisdiction over any owner or the owner's property for the recovery of such costs, and may join all other owners in such action irrespective of any statutes to the contrary relating to jurisdiction or venue. Following the conclusion of such action the secretary may make application to the court for foreclosure sale of the property to satisfy any judgment obtained by the secretary.

History: Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(9). -- Created 1974 Ky. Acts ch. 285, sec. 11.