

461A.76 Contracts with local authorities.

1. Notwithstanding anything in chapter 468, subchapter I, parts 1 through 5, to the contrary, county boards of supervisors and trustees having control of any levee or drainage district established thereunder, including joint levee or drainage districts, may enter into contracts and agreements with municipalities or corporations authorized to establish water recreational areas under the provisions of this division. Such contracts or agreements shall be in writing and may be made prior to or after the establishment of a water recreational area. If made prior to the establishment of a water recreational area they may be made conditional upon the final establishment of such area and if conditional upon such final establishment may be entered into prior to the hearing provided for in section 461A.63.

2. Such contracts or agreements may embrace any of the following subjects:

- a. For the impoundment of drainage waters to create artificial lakes or ponds.
- b. For compensation to drainage districts for drainage improvements destroyed or rendered useless by the establishment of water recreational areas and the structures, waters or works thereof.
- c. For the diversion of waters from established drainage ditches or tile drains to other channels.
- d. For sanitary measures and precautions.
- e. For the control of water levels in lakes, ponds or impoundments of water to avoid damage to or malfunction of drainage facilities.
- f. For the construction of additional drainage facilities promoting the interests of either or both of the contracting parties.
- g. For the granting of easements or licenses by one party to the other.
- h. For the payment of money by one contracting party to the other in consideration of acts or performance of the other party required by such contract or agreement.

3. When any expenditure of levee or drainage district funds is proposed by the authority contained in this section and where the estimated expenditure will exceed fifty percent of the original total cost of the district and subsequent improvements therein as defined by section 468.126, the same procedure respecting notice and hearing shall be followed as is provided in said section 468.126, for repair proposals where the estimated cost of the repair exceeds fifty percent of the original total cost of the district and subsequent improvements therein.

[C66, 71, 73, 75, 77, 79, 81, §111.76]

C93, §461A.76

2011 Acts, ch 34, §106

Referred to in §331.382