

[Home](#)

[Home](#) >> [Statutes](#) >> [Back](#)

[About Us](#)



Printable Format

[Previous](#) | [Next](#)

[Office Staff](#)

[FAQs](#)

[Contact Us](#)

[KS Constitution](#)

[Open Records](#)

[Statutes](#)

**65-159. Abatement of nuisances; failure to remove, penalties.** The secretary of health and environment and the county or joint boards of health shall have the power and authority to examine into all nuisances, sources of filth and causes of sickness that in their opinion may be injurious to the health of the inhabitants within any county or municipality in this state. Whenever any such nuisance, source of filth or cause of sickness shall be found to exist on any private property or upon any watercourse in this state, the secretary of health and environment or county or joint boards of health shall have the power and authority to order, in writing, the owner or occupant thereof at his or her own expense to remove the nuisance, source of filth or cause of sickness within twenty-four (24) hours, or within such reasonable time thereafter as such secretary or such county or joint board may order; and if the owner or occupant shall fail to obey such order, such owner or occupant upon conviction shall be fined not less than ten dollars (\$10) nor more than one hundred dollars (\$100), and each day's continuance of such nuisance, source of filth or cause of sickness, after the owner or occupant thereof shall have been notified to remove the nuisance, source of filth or cause of sickness, shall be a separate offense.

**History:** L. 1907, ch. 383, § 1; R.S. 1923, 65-159; L. 1974, ch. 352, § 20; L. 1980, ch. 182, § 21; July 1.

**Law Review and Bar Journal References:**

"Groundwater Pollution I: The Problem and the Law," Robert L. Glicksman, George Cameron Coggins, 35 K.L.R. 75, 184 (1986).

"Avondale Federal Savings Bank v. Amoco Oil Co.: No Equity in Sight for RCRA Victims," Dennis B. Danello, 48 K.L.R. 663 (2000).

"Time to Bite the Bullet: A Look at State Implementation of Total Maximum Daily Loads (TMDLS) Under Section 303(d) of the Clean Water Act," Mary E. Christopher, 40 W.L.J. 480 (2001).

**Attorney General's Opinions:**

Confined animal feeding operations; environmental impact; contamination of soil and water; application and enforcement of federal and state laws; legislative authority. 98-2.

Confined swine feeding facilities; control of water pollution by Secretary of Kansas Department of Health and Environment. 2000-19.

Regulation requiring unsanitary water well to be plugged not illegal taking of water right. 2003-29.

**CASE ANNOTATIONS**

1. Health authorities may invoke remedy of injunction to prevent anticipated health menace. *Dougan v. Shawnee County Comm'rs*, 141 Kan. 554, 560, 43 P.2d 223.

**LEGISLATIVE**

**COORDINATING COUNCIL**

[General Policies 2026](#)  
[Archived LCC Documents](#)  
[Archived LCC Meetings](#)

**LCC MEETINGS**

**09/29/2026**

[Meeting Notice](#)

**REVISOR OF STATUTES**

[Archived Session Documents](#)  
[Archived School Finance Documents](#)

**2026 New, Amended & Repealed Statutes**

[2026 Composite List By Bill](#)  
[2026 Composite List By KSA](#)

**USEFUL LINKS**

[Session Laws](#)  
[Kansas Administrative Regulations](#)

**OTHER LEGISLATIVE**

**SITES**

[Kansas Legislature](#)  
[Administrative Services Division](#)  
[Division of Post Audit](#)  
[Research Department](#)