

ORDINANCE NO. 66

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REQUIRING CONNECTION TO SEWAGE SYSTEM BY ALL PROPERTY OWNERS AND USERS; ESTABLISHING A CONNECTION FEE; A SERVICE APPLICATION PROCEDURE, AND AN INSPECTION PROCEDURE; PROVIDING FOR MAINTENANCE OF SEWER LATERALS; RESERVING RIGHTS TO IMPOSE SEWER RATES; AND PRESCRIBING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida, as follows:

SECTION 1: Compulsory connection to sewer system.

All property owners and property users of developed property where available for connection to the existing sewage collection system shall make application with the town clerk within thirty (30) days from the adoption of this ordinance for connection to such system and shall be required to pay the established tap-on fee and sewage charge as set by the town as enumerated herein.

SECTION 2: Fees for connecting to town sanitary sewer.

(A) Flat fee. A flat fee of Three Hundred and Fifty Dollars (\$350.00) shall be paid for connection of all residential dwellings, including trailers, commercial buildings, and fraternal, religious or charitable organizations. Each unit of an apartment complex, of an office or residential condominium or of a trailer park shall be considered separately and required to pay such fee for connection to the sewer system.

(B) Effective date. The connection fee and extension policy as provided in this section shall become effective throughout the town September 20, 1979.

(C) Sewer line extension policy. In addition to the connection fee outlined in subsection (A) above, a developer or customer shall pay all costs of extensions of a sewer main line. The town, in negotiation with the developer or customer, may bear a portion of the extension costs and reduce or waive the connection fee, at its option.

SECTION 3: Application for service; issuance of permits; payment of fees.

The town clerk shall issue a sewage connection permit upon

receipt of an application submitted to the town requesting connection to the town's sewage collection system and upon receipt of the required connection fee. Applications for service in conjunction with new construction shall be made simultaneously with an application for a building permit. The connection fee for such applications shall be paid to the town at the time of issuance of the building permit.

SECTION 4: Inspection of sewer connection.

All sewage system taps shall be inspected by the town inspector prior to back-filling of the sewage connection. No back-filling of a sewage trench shall occur until written approval of a tap-on connection is issued by the inspector. The approval shall be issued in triplicate, one copy each to the customer, the town, and the inspector.

SECTION 5: Maintenance of sewer laterals.

The applicant, user or owner of the property serviced by the town sewer system, shall be responsible for maintaining the sewer pipes between the plumbing fixtures on the property to the property line in good operating condition and free from all internal obstructions.

SECTION 6: Reservation of right to impose sewer charges.

The town reserves the right to impose upon each customer a reasonable charge to be fixed hereafter for service supplied by the town's sewage collection system and to require a service deposit.

SECTION 7: Violations; penalties.

- (A) It shall be unlawful for any property owner or user of developed property to fail to connect to the town sewage collection system when available to the property.
- (B) It shall be unlawful for any property owner or user of developed property to connect to the town's sewage collection system without first obtaining a sewage connection permit and paying the required connection fee.
- (C) Any property owner or property user failing to abide by

the provisions of Section 7(A) or (B) shall be subject to a fine not exceeding Five Hundred Dollars (\$500.00) or ninety (90) days in jail. Each day's violation shall be considered a separate offense.

SECTION 8: Exculpatory clause.

Nothing contained herein shall be construed to require any property owner or user of developed property who was connected to the town's sewage collection system prior to September 20, 1979, to pay a sewer connection fee for existing structures.

SECTION 9: Savings clause.

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 10: Repeal of conflicting ordinances.

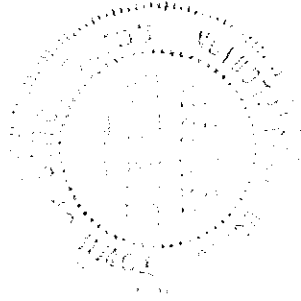
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 11: Effective date.

This ordinance shall become effective immediately upon its passage and approval by the Mayor.

ADOPTED:

September 20, 1979



APPROVED:

Jim Kendrick
MAYOR

ATTEST:

Rosemary H. King
Town Clerk