

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE 2010-02**

AN ORDINANCE AMENDING ORDINANCE 2002-11, "AN ORDINANCE OF THE CITY OF RUSSELLVILLE, KENTUCKY, CONCERNING USE OF THE MUNICIPAL SANITARY SEWAGE COLLECTION AND TREATMENT SYSTEM, SETTING FORTH POLICY, DEFINITIONS, FEES, SURCHARGES, RULES AND REGULATIONS REGARDING THE USE OF SAID SYSTEM, CONTROLLING PRIVATE WASTEWATER DISPOSAL, GOVERNING THE BUILDING OF SEWERS AND CONNECTIONS, POLLUTANT DISCHARGE LIMITS, PRETREATMENT PROGRAM ADMINISTRATION, ESTABLISHING THE RIGHT OF THE CITY OF RUSSELLVILLE TO CHARGE FEES FOR ADMINISTERING THE CITY OF RUSSELLVILLE'S REASONABLY NECESSARY FUNCTIONS RELATED TO SEWER USE, AND DELINEATING POWERS AND AUTHORITY OF INSPECTORS AND SETTING FORTH THE METHODS AND PROCEDURES OF ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION, A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE" BY LIMITING MANDATORY SEWER HOOKUP ONLY WHEN THE GRAVITY FEED SEWER IS ON THE SAME SIDE OF THE STREET AND WITHIN 100 FEET OF THE WATER RATEPAYER'S PROPERTY LINE, PROVIDING FOR A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE

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WHEREAS, the City of Russellville's Sewer Use Ordinance 2002-11 was enacted for the health, safety and welfare of the citizens of the City of Russellville; and

WHEREAS, the Sewer Use Ordinance has been amended by Ordinance 2005-12; Ordinance 2005-14 and Ordinance 2006-19; and

WHEREAS, it is now necessary and proper for the Sewer Use Ordinance to again be amended to protect the health, safety and welfare of the citizens of the City of Russellville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY, AS FOLLOWS:

I. ARTICLE II(A)(1) IS HEREBY AMENDED AS FOLLOWS:

ARTICLE II - USE OF PUBLIC SEWERS

A. Mandatory Sewer Connection

1. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City of Russellville, or any other owner who is a contract

customer of the City of Russellville, and whose house(s), building(s) or property abuts... any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City of Russellville, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is a gravity feed sewer on the same side of the street or highway of the water ratepayer and is within one hundred (100) feet (30.5 meters) of the property line.

II. SEVERABILITY CLAUSE - In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.

III. REPEALER CLAUSE - All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

IV. EFFECTIVE DATE - This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING conducted on the 2nd day of February, 2010.

SECOND READING AND PASSAGE on the 16th day of February, 2010.



VETOED, MAYOR GENE ZICK
GENE ZICK, MAYOR

ATTEST:



BOB RIGGS, CITY CLERK

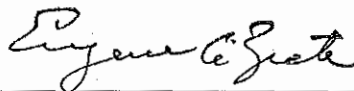
Ayes: Bell, Pat; Davenport, Jimmy; Jones, Russell; McPherson, Lanny; Nash, Doug; Whipple, Jack.

Nays: None.

Absent: None.

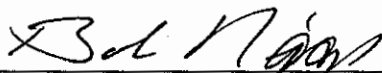
Abstaining: None.

MOTION TO OVERRIDE MAYOR'S VETO PASSED 5-0 on March 2, 2010.



GENE ZICK, MAYOR

ATTEST:



BOB RIGGS, CITY CLERK

Ayes: Bell, Pat; Davenport, Jimmy; McPherson, Lanny; Nash, Doug; Whipple, Jack.

Nays: None.

Absent: Jones, Russell.

Abstaining: None.