

ORDINANCE NO. 735-2008

AN ORDINANCE OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, PROHIBITING INITIAL OR ALLOWING THE CONTINUED INTRODUCTION, INFILTRATION OR LEAKAGE OF NONWASTEWATER EFFLUENT INTO PRIVATELY OWNED SEWER LINES; PROVIDING FOR SYSTEM TESTINGS GERMANE TO SUCH INFILTRATION; AND REQUIRING PROPERTY OWNER REPAIR, CORRECTION AND CURE OF PROHIBITED INFILTRATION UNDER SANCTIONS FOR NONCOMPLIANCE AND IMPOSING CHARGES, COSTS AND EXPENSES FOR REPAIRS AND CURE TOGETHER WITH CHARGES FOR SYSTEMS' RECONNECTIONS.

WHEREAS, the City of Dry Ridge maintains and operated utilities systems to provide and deliver potable water; to collect and disburse rain water and surface runoff; and to collect and treat sewerage and wastewater effluent for the safety and benefit of its residents, citizens, and such utilities' users and customers; and

WHEREAS, the citizens and residents of the City of Dry Ridge use the above utilities systems and services, and are required, by ordinances, to have connections to the city's water and sanitary sewer systems in conformity and compliance with health, building and plumbing codes, and subdivision regulations; and

WHEREAS, the City of Dry Ridge has determined that it is treating as sewerage an extraordinary amount of nonwastewater effluent, a substantial portion of which is from privately owned or maintained sewer lines into which such nonwastewater has been allowed to infiltrate, leak or been introduced.; and

WHEREAS, the City of Dry Ridge by this ordinance hereby intends prohibit the initial or continued nonwastewater effluent infiltration, leakage or introduction into the city's sewer lines or mains; to provide for testing to locate points, areas, and places of prohibited infiltration; and requirements for the property owner's repair and cure of such infiltration with sanctions , costs and charges for noncompliance.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY AND FOR THE CITY OF DRY RIDGE, KENTUCKY, AS FOLLOWS:

ARTICLE ONE

No user-customer of the City of Dry Ridge's Sanitary Sewer Collector System, whether residential or nonresidential, shall, as to any sewerage line or main owned or maintained by such user-customer, cause or allow any manner of runoff, ground water, nonwastewater, or nonwastewater effluent to be discharged or introduced into such sewerage line or main; or by action, inaction, or neglect, allow runoff, ground water, nonwastewater, or nonwastewater effluent, by infiltration, leakage or otherwise, to enter such sewerage line or main; or allow any such act or event of nonwastewater infiltration or introduction into sewerage lines or mains heretofore enumerated to continue or be ongoing.

ARTICLE TWO

The City of Dry Ridge, Kentucky, its agents and assigns, shall be allowed, permitted, and have the right to test by all manner and means recognized and investigate and inspect the property and premises of the city and the property and premises, close, curtilage, improvements, accessions, structures, buildings, piping, water lines and sewerage lines and mains of, and, or connecting to the city's municipal water system or the city's sanitary sewerage collector system owned by the city itself or the city's user-customer concerning acts, events and incidents of nonwastewater infiltration herein referred to and prohibited hereby and here under.

ARTICLE THREE

Should any act, event, incident, occurrence, or the existence of a prohibited nonwastewater infiltration be discovered, then the city shall notify the offending property owner-user in writing by both Regular and Certified United States Mail of such condition and provide particulars and assistance upon the property owner's request in determining the location of the problem area.

ARTICLE FOUR

Offending property owners must effect all repairs and work necessary to correct or cure the cited act of prohibited infiltration to the city's complete satisfaction within ninety (90) days of the date the city's notice letter referred to in Article Three above.

ARTICLE FIVE

All work and matters necessary to make repairs and effect a cure of the prohibited act of infiltration including any work done causing injury or damages to the city's property shall be done at the property owner's cost and expense alone without contribution from the city.

ARTICLE SIX


Should the repairs and cure required above be not made or had to the satisfaction of the city within the allowed period of 90 days, then in that event, the city shall immediately terminate the property owner's water and sewer services requiring the offending property owner-user to incur and pay a reconnect fee special and separate from a nonpayment disconnect in the sum and amount of \$50.00 each for water service and sewerage service.

The herein Ordinance shall become effective and be in full force and effect when the same be adopted, ordained, ordered published and published according to law.

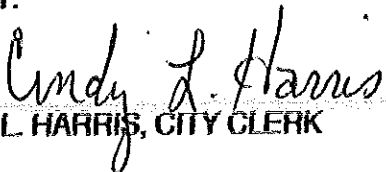
First Reading: October 6, 2008

Second Reading: October 20, 2008

PASSED, ADOPTED, APPROVED, ORDAINED, AND ORDERED PUBLISHED ON
THIS THE 20th DAY OF October, 2008.


CLAY CRUPPER, MAYOR

ATTEST:


CINDY L. HARRIS, CITY CLERK