

§ 51.017 RESTRICTIONS ON WASTEWATER DISPOSAL FACILITIES.

Except as otherwise provided in this chapter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

Penalty, see § 51.999.

§ 51.018 MANDATORY INSTALLATION OF SERVICE CONNECTION TO PUBLIC SEWER.

(A) *Existing Structures within 200 feet of Public Sewer.* The owners of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which wastewater is discharged, which are situated within the city and adjacent to 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, shall be required at the owner's expense to install a suitable service connection to the public sewer in accordance with provisions of this ordinance within 365 days of the date the public sewer is operational; provided, the public sewer is within 200 feet of the structure generating the wastewater.

(B) *New structures.* All future buildings or structures that will generate waste water, which are to be constructed on property adjacent to or within 200 feet of the public sewer, shall be required to immediately connect to the public sewer. If sewer connections are not made pursuant to this section, the city shall serve an official ten-day notice instructing the affected property owner to make the connection.

(C) *Structures Where Service Not Previously Available.* As the public sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sewer within 365 days, in compliance with this chapter, and within 35 days thereafter any septic tanks, cesspools, and similar private wastewater disposal systems shall be cleaned of sludge. The bottom of any such private wastewater disposal system shall be broken to permit drainage, and the tank, pit, or vault shall be filled with suitable material. The public sewer system will be considered available when the property to be serviced is adjacent to the public sewer or when any structure on the property that generates waste water is within 200 feet of the public sewer.

Penalty, see § 51.999.

§ 52.06 CONNECTION TO SYSTEM REQUIRED; USE OF PRIVATE WELLS.

(A) Connection Mandatory. Except where municipal water is not available, it shall be unlawful to construct, reconstruct, or repair any private water system which is designed or intended to provide water for human consumption. Private wells, to provide water for other than human consumption, may be constructed, maintained and

continued in use after connection is made to the water system; provided, there is no means of cross-connection between the private well and municipal water supply at any time. Hose bibbs that will enable the cross-connection of the two systems are prohibited on internal piping of the well system supply. Where both private and city systems are in use, outside hose bibbs shall not be installed on both systems.

(B) Existing Dwelling Unit or Buildings. Each lot, piece or parcel of property in the City of Vergas, abutting on any street, avenue or alley in which a municipal water main is laid, and having an existing dwelling unit or any other buildings thereon, is required to be connected with the municipal water system of the City not later than November 1, 2010, or within three (3) months after a municipal water main is constructed provided the dwelling unit or building is served is within 200 feet of the edge of the street closest to the dwelling unit or building.

(C) New Dwelling Unit or Buildings. Each lot, piece or parcel of property in the City of Vergas, abutting on any street, avenue or alley in which a municipal water main is laid, and upon which a new dwelling unit or any other buildings is to be constructed, is required to be connected with the municipal water system of the City provided the dwelling unit or building served is within 200 feet of the edge of the street closest to the dwelling unit or building.

(D) Failure to Connect. Should the owner of any premises having access to the municipal water system as provided in this section fails to connect said premises with the municipal water system, the Council may cause such connection to said premises to be made upon an authorized representative of the City giving the owners 30 days written notice. The cost of said connection charges shall be assessed against the owner of said premises and if not paid within 30 days may be certified to the County Auditor to be collected in the same time and manner as real estate taxes against said property. Said assessment and connection charge shall be payable in three equal annual installments with one year's interest at the rate established pursuant to § 52.50 and one year's interest at the rate established pursuant to § 52.50 to be added to each subsequent installment on the unpaid balance.

(E) City's determination. Where new homes or buildings do not have water available to the property, the City shall determine whether and under what conditions the municipal water system will be extended to serve the property.